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FROM

STATE OF NEW YORK

FIRST ANNUAL REPORT

OF THE

PUBLIC SERVICE COMMISSION

SECOND DISTRICT

FOR THE SIX MONTHS ENDING DECEMBER 31, 1907

COMMISSIONERS

FRANK W. STEVENS, Chairman
CHARLES HALLAM KEEP
THOMAS M. OSBORNE
MARTIN S. DECKER
JAMES E. SAGUE

VOLUME I

ALBANY
1908

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LETTERS OF TRANSMITTAL.

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION,
SECOND DISTRICT,
ALBANY, *January 22, 1908.*

HON. LEWIS STUYVESANT CHANLER,
Lieutenant Governor,
Albany, N. Y.:

DEAR SIR: I have the honor to transmit herewith the report of the Public Service Commission, Second District, for the six months ending December 31, 1907.

Very truly yours,
F. W. STEVENS,
Chairman.

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION,
SECOND DISTRICT,
ALBANY, *January 22, 1908.*

HON. JAMES W. WADSWORTH, Jr.,
Speaker of the Assembly,
Albany, N. Y.:

DEAR SIR: I have the honor to transmit herewith the report of the Public Service Commission, Second District, for the six months ending December 31, 1907.

Very truly yours,
F. W. STEVENS,
Chairman.

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION,

SECOND DISTRICT.

To the Legislature:

The First Annual Report of the Public Service Commission, Second District, for the six months ending December 31, 1907, is herewith submitted, pursuant to the requirements of the Public Service Commissions Law, chapter 429, laws of 1907.

For convenience of reference and clearness of statement this report is arranged under separate titles, as follows:

PART I.

I. Organization of the Department.
II. Capitalization and its Treatment.
III. Adequacy and Efficiency of Steam Railroad Service.
IV. Complaints, Formal and Informal.
V. Passenger and Freight Rates.
VI. Miscellaneous Matters.

PART II.

VII. Work of Division of Statistics and Accounts.
VIII. Work of Division of Railroad Engineering and Inspection.
IX. Work of Division of Traffic.
X. Work of Division of Tariffs.
XI. Work of Division of Light, Heat, and Power.

PART III.

XII. Grade Crossing Elimination.
XIII. Accidents.
XIV. Permanent Improvements and Additions Made by Railroad Corporations.

PART I.

I. ORGANIZATION OF THE DEPARTMENT.

This Commission took office and entered upon the discharge of the duties imposed upon it by law on the 1st day of July, 1907. By subdivision 2 of section 45 of the Public Service Commissions Law it is charged with the general supervision of all common carriers: railroads, street railroads, railroad corporations, and street railroad corporations within its jurisdiction, and invested with the power and directed to examine the same and keep informed as to their general condition, their capitalization, their franchises, and the manner in which their lines owned, leased, controlled or operated are managed, conducted and operated, not only with respect to the adequacy, security, and accommodation afforded by their service, but also with respect to their compliance with all the provisions of law, orders of the Commission, and charter requirements.

By the provisions of section 66 of the same law it is also given general supervision of all persons and corporations defined in the law as gas and electrical corporations, and invested with extensive powers over the manufacture, sale and distribution of gas and electricity for light, heat, and power.

By section 53 of the same law it is provided that without having first obtained the permission and approval of this Commission, no railroad corporation, street railroad corporation, or common carrier, with certain exceptions noted in the section, shall begin the construction of a railroad or street railroad, or any extensions thereof, nor shall it exercise any franchise or right under any provision of the Railroad Law or of any other law.

By section 55 of the same law it is provided that a common carrier, railroad corporation, or street railroad corporation may issue stocks, bonds, notes, or other evidence of indebtedness, payable at periods of more than twelve months after the date thereof when necessary for certain purposes enumerated in the law; pro-

vided, and not otherwise, that there shall have been secured from this Commission an order authorizing such issue and the amount thereof, and stating that in the opinion of the Commission the use of the capital to be secured by the issue of such stock, bonds, notes, or other evidence of indebtedness is reasonably required for the said purposes of the corporation.

By section 68 of the same law the provisions of section 53, applicable to railroad corporations, are substantially applied to gas and electrical corporations; and by section 69 the provisions of section 55, applicable to common carriers and railroad corporations, are substantially applied to gas and electrical corporations.

By the same law numerous other powers, unnecessary to specify at this time, are given to this Commission, with corresponding injunctions to exercise the same; and all the powers formerly given to the Board of Railroad Commissioners are also conferred upon it.

By sections 49, 71, and 72 of the same law this Commission is invested with the power, upon complaint made to it and after formal hearing, to determine and fix the just and reasonable rates, fares, and charges of all corporations subject to its supervision and control.

Powers so vast and duties so extensive as these were to be exercised over a very large number of corporations then existing and all which should be subsequently created.

On the first day of July there were: Operating steam railroad corporations, 78; non-operating steam railroad corporations subject to its supervision and control but whose lines were leased to or operated by other corporations, 92; electric railroad corporations, 72; gas corporations, 119; electric light corporations, 211; joint gas and electrical corporations, 50; municipal light plants, 44; a total of more than six hundred corporations subject to the supervision and regulation of this Commission. The amount invested in railroad property thus subjected to the control of this Commission is approximately $2,000,000,000, and of gas and electric properties approximately $500,000,000; making approximately a total property valuation of $2,500,000,000 over which this Commission is to exercise its great powers.

It is obvious that the work imposed upon us, and the purposes contemplated by the statute, could be attained only by and through a thoroughly considered, systematic, and well equipped departmental organization. Such an organization must necessarily be based upon a comprehensive view of the results sought and the methods to be followed in seeking them. The great variety of work involved required special scientific and technical knowledge, and the necessity that the Commission should be well and accurately served in these matters made imperative the selection of assistants of skill, competency, experience, and judgment.

Having these general principles in mind, we have created an organization, the general form and character of which has been determined by those principles, and the details have been suggested by the experience we have had in carrying on our work. This organization is believed to be sufficiently elastic to permit of its natural and proper growth so as to embrace work which we have not yet undertaken.

We deem it of prime importance that you be advised of the character of this organization, to the end that you may understand the efforts which are being made to discharge the duties imposed upon us.

There have been created six separate divisions, as follows:

1. Division of Light, Heat, and Power.
2. Division of Railroad Engineering and Inspection.
3. Division of Statistics and Accounts.
4. Division of Traffic.
5. Division of Tariffs.
6. General Office.

The general character of each division and the work assigned to it in its organization will be briefly indicated.

Division of Light, Heat, and Power.— The work assigned to this division is supervision of all gas corporations, electrical corporations, the inspection and testing of gas, the inspection and testing of gas meters, the inspection and testing of electric meters, the supervision of municipal electric plants so far as power is given to the Commission; and, in brief, the general discharge of all the detailed duties with reference to gas and electrical corpo-

rations imposed upon the Commission by Article IV of the Public Service Commissions Law.

Henry C. Hazzard was appointed chief of this division; H. H Crowell, gas and electrical engineer; C. H. Stone, chief gas inspector; C. F. Hunter, chief electrical inspector. Subordinate officers are gas-meter inspectors and electric-meter inspectors, with an office force sufficient to take care of the office work of the division.

Division of Railroad Engineering and Inspection.— The work assigned to this division is the inspection and supervision of the physical properties of railroad corporations and the methods of operating the same. There has been no appointment of a chief of this division. The Commission, however, contemplates such an appointment as soon as possible: when it shall have found an engineer possessing the qualifications which it deems requisite for the position. The following appointments have been made to take care of particular branches of the work: A. Buchanan, jr., supervisor of equipment; C. R. Barnes, inspector of electric railroads; J. D. Shultz, inspector of steam railroads; G. P. Robinson, inspector of locomotive boilers; A. H. Sutermeister, engineer of grade crossings; J. E. Brazee, inspector of grade crossings.

Division of Statistics and Accounts.—In addition to the collection of all proper statistics with reference to the operations of the corporations committed to its supervision by section 52 of the Public Service Commissions Law, the Commission is authorized to establish a uniform system of accounts to be used by railroad corporations, street railroad corporations, and other common carriers; and by section 66 of the same law it has power to prescribe a uniform system of accounts, records, and books to be kept by gas and electrical corporations. The examination from time to time of the accounts of all such corporations is practically required of the Commission. It believes that its work can not be done properly, nor can the purposes of the law be attained, without the establishment of uniform systems of accounts for all corporations under its supervision. The establishment of a division of statistics and accounts to have in charge the details of all these matters was imperative, and engaged the most careful thought and

anxious consideration of the Commission. The work performed by this Commission would be worse than useless, because inadequate and misleading, unless performed upon correct principles and with a thorough understanding of the economic questions involved and the results to be obtained through enforcement of the law. It judged that the appointment of a chief of this division was one of the most important acts to be performed by it, and endeavored to exercise in such selection care commensurate with the importance of the work to be done. It selected as its statistician and for chief of this division William J. Meyers, long time employed as chief assistant to the statistician of the Interstate Commerce Commission.

Division of Traffic.—The function of the steam railroads under the supervision of this Commission is to furnish adequate means for the transportation of freight and passengers, and our function to see that such transportation is efficient. The character of that service rendered by the railroads in the past, as we shall in another place show, has been unsatisfactory to the people of the State. The distribution of cars in freight traffic and the lack of prompt movement of the same has been a source of irritation, and, apparently, great loss to the shippers and consignees of the State. It was believed to be necessary to investigate these matters with the utmost thoroughness, not only by the personal attention and efforts of the Commissioners, but also with the aid of skilled subordinates, and to that end to organize for such work a division, the duty of which should be to ascertain the causes of inadequate and inefficient service and to suggest remedies for the same which should be applied by the Commission under the powers conferred by statute. To accomplish this general purpose a division of traffic was organized, having in charge the duties indicated, for which division Frank Barry, a man of large experience in this class of work, was appointed chief, and to him has been assigned such assistants from time to time as have been found necessary.

The Commission has found that what may be termed the freight situation in the city of Buffalo is so complex, and the difficulties to be overcome so enormous, that they could not well be supervised except with the aid of some person stationed in that city. It has, therefore, taken measures to establish an office there, and

has engaged the proper office rooms, and in the month of October determined to place an inspector, under the control of this division, in that office to perform such duties as might be from time to time assigned to him by the Commission or by the chief of the division of traffic. It being necessary to make the appointment of such inspector through the civil service, a requisition was made upon the State Civil Service Commission on the 1st of November, 1907, for an examination. A list of names was certified to us January 6, 1908, and on the 13th of January we appointed as such inspector George V. Horgan of Buffalo, who will at once engage in the work assigned him, and a study of the details of freight service in the city of Buffalo will be undertaken. This office in Buffalo will also afford an opportunity for the making of complaints by shippers and consignees of defective service, with a view to the prompt and efficient investigation of the same and the inauguration of suitable measures for the prevention of a repetition of such delay.

Division of Tariffs.— By section 28 of the Public Service Commissions Law every common carrier is required to file with this Commission schedules, or, as they are usually termed, "tariffs," showing rates of fares and charges for the transportation of passengers and property within the State between each point upon its route and all other points thereon. Without enumerating further the requirements of the law regarding these tariffs, it is sufficient to say that a very large amount of work is imposed upon this Commission in their handling, which work will be elaborately explained under another title. To provide adequately for the filing of such tariffs and the proper classification and use of the same, a division of tariffs was established, and of this division Walter E. Griggs was appointed chief, who has been given such assistants from time to time as have been found necessary.

General Office.— A large amount of work connected with various miscellaneous duties, which it is not particularly essential should be enumerated in this place, is performed by a general force of clerks and stenographers under the immediate supervision of the secretary of the Commission.

The entire force of employees in these various divisions now amounts to sixty-six, and if the duties imposed upon the Commission are to be discharged, and the work expected of it to be adequately performed to the satisfaction and advantage of the people of the State, this number must be increased in the near future. The duties imposed upon our employees are extensive and onerous, and it is with satisfaction that the Commission reports that its employees have proved diligent, faithful, and capable, and willing to undertake extra work at all times with cheerfulness and even with enthusiasm. The spirit prevailing in the department is excellent, and much to be commended.

The foregoing brief synopsis of the organization is deemed essential to a clear comprehension and discussion of the work which has been performed by the Commission through the agency of such divisions.

II. CAPITALIZATION AND PERMISSION TO DO BUSINESS.

Section 53 of the Public Service Commissions Law provides as follows:

"Without first having obtained the permission and approval of the proper commission no railroad corporation, street railroad corporation or common carrier shall begin the construction of a railroad or street railroad, or any extension thereof, for which prior to the time when this act becomes a law a certificate of public convenience and necessity shall not have been granted by the board of railroad commissioners or where prior to said time said corporation or common carrier shall not have become entitled by virtue of its compliance with the provisions of the railroad law to begin such construction; nor, except as above provided in this section, shall any such corporation or common carrier exercise any franchise or right under any provision of the tofore granted but not heretofore actually exercised without first having first having obtained the permission and approval of the proper commission. . . . "

Section 68 of the same law provides as follows:

"No gas corporation or electrical corporation incorporated under the laws of this or any other state shall begin construction, or exercise any right or privilege under any franchise hereafter granted, or under any franchise heretofore granted but not heretofore actually exercised without first having obtained the permission and approval of the proper commission. . . . "

The exercise of such unusual and drastic power as is conferred by these two sections should be governed by well settled

principles of public policy. Such principles are not indicated in the statute, but are left to be established, as well as observed, by the Commission itself. Clearly, in a general way, it should be the policy of the State to foster and encourage enterprises of this character, but this principle is of little aid in solving the questions which arise in actual practice. Some of these difficulties are as follows:

When an enterprise seeks to begin operation in an entirely unoccupied field, the Commission is necessarily called upon to determine if it will exercise judgment of its own as to whether the enterprise is commercially feasible and is likely to afford fair return upon the capital necessary to be invested, or whether it will remit those questions entirely to the promoters of the enterprise and require them to assume the burden of the decision as well as the burden of the chances. Great losses have occurred to innocent investors by reason of ill-advised and ill-considered investments in new enterprises, and communities have frequently been subjected to the economic loss of the diversion of large amounts of floating capital to the status of fixed capital which proved partially or wholly unremunerative.

Again, where the proposed enterprise comes in competition with an enterprise already established we have to consider the conflicting claims of advantages accruing to the public from competition, both in rates and service, and the disadvantages arising from multiplication of facilities beyond the needs of the community. This latter consideration requires a forecast of the future as to the probable growth of the requirements of the public.

Another feature of great importance is the frequent consolidation of competing enterprises, thereby imposing upon a community united capitalization to render service which could well have been performed by one of the consolidating concerns.

These and a variety of other problems must be determined by the Commission as they arise in actual practice. Some of them have been already considered, as published opinions of the Commission show, and these cases will be adverted to in more detail hereafter.

For a proper presentation of cases of this character, in its rules of practice the Commission has made two rules, 20 and 26, which it is deemed important to insert in this place as showing its requirements on such applications. Rule 20 reads as follows:

"Applications for permission and approval to exercise franchises under section 53, Public Service Commissions Law, and for certificate of public convenience and a necessity under section 59, Railroad Law.—Applications for permission and approval to exercise franchises and privileges under section 53 of the Public Service Commissions Law, and applications for a certificate of public convenience and a necessity under section 59 of the Railroad Law, may be embraced in one petition, and may be carried on in one proceeding. In all such applications the petitioner shall comply with all of the provisions of sections 59 and 60 of the Railroad Law, and in addition thereto the petition must state concisely:

"1. The route of proposed railroad, street railroad, or extension, giving the names of the cities, villages or towns in and through which it is to be constructed.

"2. The name of each railroad and street railroad corporation with which the proposed construction is likely to compete.

"3. The facts showing the proposed construction to be required by public convenience and a necessity.

"4. All other facts deemed material by the petitioner.

"5. If the applicant has not exercised any of the powers or privileges of a corporation, it must set forth the manner in which it proposes to finance the proposed construction.

"6. If the applicant has theretofore exercised the powers of a corporation, it must set forth the manner in which it proposes to finance the proposed construction, and also its financial condition.

"The petition must be accompanied by a copy of the articles of incorporation of the petitioner, certified by the Secretary of State, and of all amendments thereto, maps and profiles showing the location and route of the proposed construction, and proof of compliance with all conditions required by law precedent to such application."

Rule 26 reads as follows:

"Applications under section 68 of the Public Service Commissions Law by a gas or electrical corporation.—In applications under section 68 of the Public Service Commissions Law, the petition must set forth:

"1. All the facts upon which the petitioner relies to entitle it to begin construction or exercise the franchise owned by it.

"2. The financial condition of the applicant.

"Annexed to the petition shall be a certified copy of the charter of the applicant, a verified copy of the consent of the proper municipal authorities, and the verified statement of the president and secretary of the corporation showing that it has received the required consent of the proper municipal authorities.

"There must be annexed to the petition an affidavit made by at least three of the directors of the applicant, showing that it is the intention of the applicant in good faith to begin the construction and exercise the franchise named in the petition."

It will be observed that rule 20 uses the general expression "Financial condition," and as this same term occurs in other rules, to which attention will be called later, we have prescribed rule 19, which gives an accurate definition of that term, as follows:

"Financial condition; term as used in these rules defined.—Whenever by these rules a petitioner is required to set forth or disclose its financial condition, such financial condition shall be given, so far as practicable, in appropriate schedules annexed to and referred to and properly designated in the petition. Such schedules shall show the following: (1) Amount and kinds of stock authorized; (2) amount and kinds of stock issued; (3) terms of preference of all preferred stock; (4) brief description of each mortgage upon property of petitioner, giving date of execution, name of trustee, amount of indebtedness authorized to be secured thereby, and amount of indebtedness actually secured; (5) number and amount of bonds authorized and issued, describing each class separately, giving date of issue, par value, rate of interest, date of maturity, and how secured; (6) other indebtedness, giving same by classes, and describing security, if any; (7) amount of interest paid during previous fiscal year and rate thereof; if different rates were paid, amount paid at each rate; (8) amount of dividends paid during previous fiscal year and rate thereof; (9) detailed statement of earnings and expenditures for, and balance sheet showing condition at close of, last fiscal year."

This rule is designed to give the Commission full and accurate information as to the financial condition of the applying corporation without imposing any undue or useless burden on it in furnishing details which will be of no use in the deliberations of the Commission. It is to be said that no corporation has yet complained that the rule has borne hardly upon it in preparing its application.

Section 55 of the Public Service Commissions Law provides as follows:

"A common carrier, railroad corporation or street railroad corporation organized or existing, or hereafter incorporated, under or by virtue of the laws of the state of New York, may issue stocks, bonds, notes or other evidence of indebtedness payable at periods of more than twelve months after the date thereof, when necessary (1) for the acquisition of property, (2) the construction, completion, extension or improvement of its facilities, or (3) for the improvement or maintenance of its service or (4) for the discharge or lawful refunding of its obligations, provided and not otherwise that there shall have been secured from the proper commission an order authorizing such issue, and the amount thereof and stating that, in the opinion of the commission, the use of the capital to be secured by the issue of such stock, bonds, notes or other evidence of indebtedness is reasonably required for the said purposes of the corporation," etc.

Section 69 of the same law provides as follows:

"A gas corporation or electrical corporation organized or existing, or hereafter incorporated, under or by virtue of the laws of the state of New York, may issue stocks, bonds, notes or other evidence of indebtedness payable at periods of more than twelve months after the date thereof, when necessary for (1) the acquisition of property, (2) the construction, completion, extension or improvement of its plant or distributing system, or (3) for the improvement or maintenance of its service or (4) for the discharge or lawful refunding of its obligations, provided and not otherwise that there shall have been secured from the proper commission an order authorizing such issue, and the amount thereof, and stating that, in the opinion of the commission, the use of the capital to be secured by the issue of such stock, bonds, notes or other evidence of indebtedness is reasonably required for the said purposes of the corporation. . . . "

Attention is called to the fact, that by virtue of the provisions of sections 55 and 69 just cited it is possible for this Commission to control only the capitalization of corporations created under or by virtue of the laws of the State of New York. Clearly, the capitalization of foreign corporations is beyond control either of the Legislature of this State or of any commission created by it. Section 68, however, of the same law, relating to gas and electrical corporations, reads:

"No gas corporation or electrical corporation incorporated under the laws of this or any other state shall begin construction," etc.

This seems to be a distinct legislative authorization of the Commission to authorize a foreign gas or electrical corporation to begin construction and exercise franchises in this State. It seemed to us that to grant such authorization to a foreign corporation might result in defeating the entire purpose of the law so far as it relates to the control of the capitalization of gas and electrical corporations. If the projectors of a proposed corporation can incorporate under the laws of another state, and then with our permission commence and do business here, their capitalization is wholly beyond our control, and the evil sought to be eradicated may be perpetuated under such a system. We have, therefore, refused to consider the applications of foreign gas and electrical corporations to do business in this State, and have announced it as a rule that no such application will be entertained. If the Legislature deems this policy to be incorrect, it can easily

indicate to us by amendment to the statute the course which it desires us to pursue.

To provide a systematic and workable practice in case of applications under sections 55 and 69, we have in our rules of practice provided two rules, as follows:

"Rule 24.

"Applications under section 55 of the Public Service Commissions Law for an order authorizing the issue of stocks, bonds, notes, or other evidence of indebtedness.—In applications under section 55 of the Public Service Commissions Law for an order authorizing the issue of stocks, bonds, notes, or other evidence of indebtedness, the petition must show:

"1. Amount and terms of proposed issue, and purposes for which the proceeds are to be used.

"2. If the purpose is the acquisition of property, a general description of the property, from whom to be acquired, and terms of the contract for such acquisition if any has been made. Names of owners of property to be acquired for right of way need not be set out, but a general description of the proposed route should be given.

"3. If the purpose is for the construction, completion, extension, or improvement of facilities, the existing facilities must be concisely set forth as well as those proposed.

"4. If the purpose is the improvement or maintenance of service, the existing service must be concisely set forth as well as the improvements or betterments proposed.

"5. If the purpose is the refunding of obligations, such obligations must be described fully, showing amount, date of issue, date of maturity, and all other material facts concerning the same.

"6. The financial condition of the applicant.

"7. If the application is for authorization of bonds to be secured by an existing mortgage, amount of bonds, if any, already issued upon such security, and amount and application made of proceeds of same.

"8. If the proceeds are to be used for construction purposes, the affidavit of a competent person must be annexed, showing the estimated cost of such construction in reasonable detail.

"9. In applications for the issue of stock, the petition must state that no franchise is capitalized directly or indirectly, except as the same is authorized by section 55 of the Public Service Commissions Law. In case it is proposed to capitalize any franchise as therein authorized, there shall be filed with the petition a verified copy of such franchise, and an affidavit of the proper officer of the state or municipality granting the same, showing the amount that has been actually paid for such franchise.

"10. If any contract, agreement, or arrangement, verbal or written, has been made to sell the stock, bonds, notes, or other evidence of indebtedness proposed to be issued, such contract, agreement, or arrangement must be set out in full, with copy of the same if in writing.

"11. If no contract, agreement, or arrangement has been made for the sale or disposal of the stock, bonds, notes, or other evidence of indebtedness

proposed to be issued, there must be annexed an affidavit of a competent person showing the amount which can probably be realized from the sale or disposition thereof, and the reason for the opinion of the affiant.

"There must be annexed to the petition an affidavit made by at least three of the directors of the applicant, showing that it is the intention of the applicant in good faith to use the proceeds of the stock, bonds, notes, or other evidence of indebtedness proposed to be issued, for the purposes set forth in the petition."

"Rule 28.

"Applications under section 69 of the Public Service Commissions Law by a gas corporation or electrical corporation for an order authorizing the issue of stock, bonds, notes, or other evidence of indebtedness.— Applications under section 69 of the Public Service Commissions Law will be governed by the provisions of Rule 24, and the order by the provisions of Rule 25."

The statute requiring consent of the Commission to issues of stocks and bonds apparently assumes that once permission has been given the proceeds will be devoted to the uses for which they are certified by the Commission to be reasonably necessary. It does not provide any machinery by which the Commission may know that the proceeds are thus used, and it is entirely possible that moneys authorized for one purpose may by a corporation be diverted to another which would not have been authorized by the Commission. It is too much to assume that corporate operations are always conducted in good faith and with scrupulous regard to the provisions of law. It has, therefore, seemed wise to the Commission to make some provision whereby it may know what application is made of the proceeds of securities authorized by it; and it is believed that such provision is warranted by the general scope and tenor of the law. To cover this exceedingly important point the Commission has prescribed, among its rules, the following:

"Rule 25.

"Applications under section 55, for authorization, etc., continued.— The order granting an application, or any part thereof, under section 55, shall contain the following provisions:

"1. Prescribing the purposes for which the proceeds of the security or obligation authorized shall be used.

"2. Directing the applicant to report under oath the sale or sales of the obligations authorized, the terms and conditions of such sale, and the amount realized therefrom.

"3. That the applicant shall make a verified report at least once every six months, showing in detail the use and application by it of the moneys so realized, until such moneys shall have been fully expended.

"4. Such other provisions as the Commission may deem necessary or appropriate in each case."

To afford a ready means for ascertaining the precise disposition of the proceeds of all such securities authorized by it, it has established an account with each corporation, in which in a suitable manner is kept a record of the application, its nature, the amount of securities authorized, the reports made thereon pursuant to the rule, and the disposition of the proceeds. Thus, either the Commission or any citizen or person interested can readily ascertain the disposition made of the moneys as reported by the corporation, and it is believed that any misapplication of the proceeds, in defiance of the terms of the order, would subject the corporation guilty of the same to forfeiture of the penalties described by section 56 of the act.

These provisions of the section under consideration, viz.: that in every order authorizing the issue of stock, bonds, notes, or other evidence of indebtedness there shall be a statement that in the opinion of the Commission the use of the capital to be secured by the issue of such stock, bonds, notes, or other evidence of indebtedness is reasonably required for the said purposes of the corporation, the Commission deems to be wise and practically indispensable to the proper working of the law, but it is obvious that it imposes extremely great labors upon the members of the Commission. It practically requires every member of the Commission, or at least a majority of the same, to examine with care every application of this character.

The Commission, in disposing of these cases, practically sits as a court, and decides upon evidence presented to it questions of fact. These questions of fact, while sometimes simple and easily disposed of, are in many cases exceedingly complex and require minute and laborious investigation.

The Commission is aware that in most cases it is possible to arrive only at a reasonable approximation of the cost of proposed construction, and that no engineer can foresee with accuracy all of the difficulties and expenses to be encountered in a proposed work. It is, however, of the highest importance that the spirit and purpose of the law shall be carried out in good faith; and it is far better that there should be an under capitalization per-

mitted by this Commission, in which event the corporation can apply for a further issue of securities, than that an over capitalization should be allowed, which would permit the possibility of the corporation diverting the proceeds to purposes not warranted by the application, as well as create a charge upon the company, to meet which it will be contended that revenue derived from the public must be supplied.

It is also apparent that in conducting the investigations requisite to decide properly the questions of fact presented to the Commission, it is necessary to have the services of skilled engineers and experts to advise the Commission as to the cost of proposed constructions. In cases of any importance, the Commission requires the applicant to produce its engineers before it, that they may be examined orally and in detail as to their estimates; but this is not deemed sufficient. In some classes of construction there is no difficulty in arriving at the fair cost thereof, but in other and the really important cases, involving a multitude of details and a variety of unit costs, it is of the highest importance that the Commission should be in possession of complete and detailed information as to such costs. It has employed, therefore, in the division of light, heat, and power, an electrical engineer believed to be thoroughly familiar with such matters and upon whose judgment it can lean with safety.

In the division of railroad engineering it is of the highest importance that the chief of the division should be a thoroughly competent engineer, skilled in cost and in all the details of construction. It is the purpose of the Commission to have prepared an extensive table of unit prices prevailing from time to time, which table will need constant checking and revision, to enable it to check the details of cost of any proposed construction with intelligence and with accuracy. It is believed that in the course of a few years such a table, if carefully kept with such revision from month to month as may be needed, will be of great assistance in determining average values and indispensable in the proper workings of the Commission in disposing of all the varied questions to which its attention must be directed.

There are a number of questions of the highest importance and greatest intricacy respecting the amount of stock and bonds

which should be permitted by the Commission in case of a new enterprise. Some of these questions are under its consideration in a case now pending before it, and it is, therefore, not advisable to discuss them at this time; and in this, as in all other cases, reference to the published opinions of the Commission will enable the Legislature to determine the principles upon which it acts and its method of reaching its final conclusions.

In this report we believe it advisable that all statistical information communicated should be placed in appendices to the report rather than in the body thereof, but the following tables show the cases which have been submitted to and disposed of by us under the sections in question. We also, in the same connection, append some tables showing the cases submitted and disposed of under sections 53 and 68 of the law. All of these cases, it is probably unnecessary to say, received the careful attention of the Commission in every detail. The Commission has deemed it wise at this initial stage of its action to proceed with care and judgment rather than with haste.

TABLE

Showing applications under section 53 of the Public Service Commissions Law for approval of construction and exercise of franchise by railroad corporations, etc.:

Name of Corporation.	Nature.	Date of permit.
		1907
Crosstown Street Railway of Buffalo	Extension	Sept. 17
East Side Traction Company	Extension	Sept. 23
Dolgeville & Salisbury Railway Company	Certificate of convenience and necessity	Oct. 3
Fishkill Electric Railway Company	Extension	Oct. 4
New York & Stamford Railway Company	Extension	Nov. 12

TABLE

Showing applications under section 55 of the Public Service Commissions Law for permit to issue stocks, bonds, and other evidence of indebtedness by railroad corporations, etc.:

Name of Corporation.	Nature of security.	Amount allowed.	Date of permit.
			1907.
Buffalo, Rochester & Pittsburgh Railway Company	Equipment bonds	$1,300,000	July 30
Buffalo & Susquehanna Railway Company	Bonds	900,000	July 31
	Car Trust certificates	300,000	July 31
Erie Railroad Company	Lease warrants	456,345	Aug. 29
Erie Railroad Company	Car Trust certificates	3,000,040	Aug. 29
Erie Railroad Company	Car Trust certificates	1,000,000	Aug. 29
Erie Railroad Company	Lease warrants	580,000	Aug. 29
Erie Railroad Company	Car Trust certificates	2,140,000	Aug. 29
Lehigh & Hudson River Railway Company	Notes	52,695	Oct. 22
Warren & Jamestown Street Railway Company	Bonds	100,000	Dec. 9

TABLE

Showing applications under section 68 of the Public Service Commissions Law for approval of construction and exercise of franchises by electrical and gas corporations:

Name of Corporation.	Date of permit.
	1907.
Village of Sherburne	July 29
Sherburne Gas Company	July 29
Earlville Electric Light Company	Sept. 24
Utica Gas & Electric Company	Oct. 28
Rochester Railway & Light Company	Nov. 12
Panama Power Company	Nov. 13
Millerton Electric Light Company	Dec. 2
Katonah Lighting Company	Dec. 3
Hudson River Electric Power Company	Dec. 4
Schaghticoke Electric Company	Dec. 11
Sodus Gas & Electric Company	Dec. 17
Lockport Light, Heat & Power Company	Dec. 21

TABLE

Showing applications under section 69 of the Public Service Commissions Law for permit to issue stocks, bonds, and other evidence of indebtedness by electrical and gas corporations:

Name of Corporation	Nature of security.	Amount.	Date of permit.
			1907.
Newburgh Light, Heat & Power Company	Bonds	$250,000	App. denied
Sherburne Gas Company	Stock	10,000	July 29
Rockland Light & Power Company	Bonds	500,000	Aug. 21
Jamestown Lighting & Power Company	Bonds	14,000	Sept. 10
Earlville Electric Light Company	Stock	10,000	Sept. 24
Newport Electric Light Company	Bonds	65,000	Oct. 23
Dutchess Light, Heat & Power Company	Stock	20,000	Oct. 23
Lockport Light, Heat & Power Company	Stock	150,000	Oct. 31
Lockport Light, Heat & Power Company	Bonds	600,000	Oct. 31
Nassau Light & Power Company	Stock	538,200	Nov. 13
Nassau Light & Power Company	Bonds	1,000,000	Nov. 13
Millerton Electric Light Company	Stock	7,500	Dec. 2
Katonah Lighting Company	Stock	20,000	Dec. 3
Hudson River Electric Power Company	Bonds	3,000,000	Dec. 4
Orange County Lighting Company	Bonds	40,000	Dec. 16
Sodus Gas & Electric Company	Stock	75,000	Dec. 17
Schaghticoke Electric Company	Bonds	1,750,000	Dec. 18
Schaghticoke Electric Company	Stock	470,000	Dec. 18

III. ADEQUACY AND EFFICIENCY OF STEAM RAILROAD SERVICE.

On undertaking its duties this Commission was impressed with the belief that it could in no way serve the people of this State better than by attempting to improve the adequacy and efficiency of the service rendered by the steam railroad corporations. This opinion has been strengthened and confirmed by the complaints which have reached us during the past six months, and by our investigations into the actual operations of traffic.

It is elementary and of prime importance that the business of the State should be conducted with efficiency and dispatch. It is notorious, that in far too large a proportion of cases the railroads have failed, from a variety of causes, to give that reasonable service which the public has the right to expect and to demand.

At the earliest moment practicable the Commission undertook the investigation of the service rendered by the steam railroads operating within the State. To that end, on the 16th, 17th, and 18th of September, it held public hearings in the city of Buffalo, and again in that city on the 14th and 15th of October; in the city of Rochester on the 16th and 17th of October; and in the city of Elmira on the 18th of November. It has also conducted a large amount of correspondence with individuals and organiza-

tions in various parts of the State on the same subject, and the chief of the division of traffic has given attention to the same matter in great detail, as is more fully shown in that portion of this report devoted to the work of that division.

On the 18th of July, the Commission issued its circular No. 2, advising the public that hearings of this nature would be undertaken. This circular indicated as the subject particularly to be investigated the workings of car service rules, but it was found impracticable and inadvisable to attempt to confine the hearings to this particular subject, the public demand being that matters which were deemed to be of greater importance should also receive the attention of the Commission. In fact, the public has not seemed greatly interested in the car service rules and what is known as reciprocal demurrage. We have instituted elaborate inquiries into that subject and collected information regarding the practical workings of car service rules in all the other states, and we have also received proposed rules from various organizations throughout the State, and have been and are now giving them such attention as is possible under the pressure of other duties.

The difficulty which we encounter regarding the present car service rules is that the workings of the present rules are apparently more satisfactory to the public generally respecting traffic wholly within the State, and with which alone this Commission is directly concerned, than in respect to interstate commerce. There is much complaint regarding the rules as administered, for instance, in the handling of coal cars. The traffic in coal is wholly interstate commerce, and we have no power to make a rule which we can enforce regarding such traffic. We have received some assurances that any set of rules which we shall adopt and require the railroads to observe in the car service for intrastate traffic would be applied throughout their entire service, but we have felt that the difficulties surrounding the subject require us to proceed with circumspection, and after full consideration of all the circumstances of the traffic throughout the State. We purpose giving other hearings at the earliest practicable moment, in the various cities of the State.

Freight Service.— The two elements in proper freight service are: 1, Supplying with promptness a sufficient number of cars

to meet the demands of the traffic; 2, moving the loaded cars to destination with proper dispatch.

Like all matters connected with railroad operation, the supplying of a sufficient number of cars to meet the demands of traffic is surrounded with great difficulties. A railroad may possess a sufficient number of cars to meet all the demands of traffic for the major portion of the year, and may indeed have cars in large excess of such demands for the greater portion of the time. Traffic is not evenly distributed throughout the months of the year. The moving of crops in the fall season entails extraordinary demands upon the railroads. Market conditions also affect the demand very greatly. A fair illustration of this is afforded by the hay trade within this State. Buyers in the hay growing regions purchase large quantities of hay and have the same baled and stored ready for shipment. An increase in prices in the cities where the hay is marketed at once attracts the attention of all shippers, and they immediately force forward to market as much of the product as is possible. This causes an abnormal demand for cars. The first shipments reach the market to such an extent that they congest the terminals, while in consequence of oversupply the prices fall. The product is then held in the cars at the terminal point for an unreasonable length of time, and this prevents and impedes the delivery of those cars, the load of which is actually sold. The same thing is constantly occurring in other branches of business, and difficulties are occurring in traffic subject to these conditions which can never be removed so long as the conditions in business remain as they now are. It would be unreasonable to require railroads to maintain a supply of freight cars during the twelve months of the year adequate to supply what may be termed the peak of the traffic for a few days in, say, the month of October, as it is well known the car supply at this moment is largely in excess of the demand. Before the Commission can determine with accuracy the number of freight cars which a railroad should be compelled to possess, it is necessary to study with care the actual movement in business, and the fair average demand upon the railroad which it should be required to meet with promptness.

Another great difficulty in the furnishing of cars is the requirement both of business and of law that railroads are compelled to

part with the possession of their cars and deliver them over to the care of other carriers. It is easily possible that a railroad within this State may be possessed of sufficient rolling stock to take care of its own business even at the peak of the traffic, but it is required to dispatch those cars to every part of the Union, and in a short time they are wholly beyond its control; and unless business has brought to it an equal number of cars from other railroads, it is helpless to supply the further demands of its patrons. This is a condition which every railroad is obliged to confront, and some of the reports which we have received indicate troubles of railroads in this direction.

The Buffalo, Rochester and Pittsburgh Railway Company is the owner of 2,507 box cars, 500 of which were built during the year 1907 and put into service during July and August. Inquiries into the failure of this railroad to supply cars sufficient to meet the demands of its patrons, instituted by this Commission, elicited the information that of the 500 new box cars put into service during the months of July and August, 1907, on the 25th of November 426 were actually upon other lines and only 74 remained in the possession of the owner, these cars having been delivered by the company to connecting lines in the usual course of freight business. These 426 cars thus out of its possession were distributed upon 77 different railroads situate in all parts of the United States.

On the same date, the total number of its cars in the possession of foreign lines was 1,478, distributed upon 128 different lines in all parts of the United States. Naturally, this railroad company had in its possession on the same date cars belonging to other lines; but these figures very clearly illustrate the difficulty of determining without very careful investigation whether a railroad is in possession of that amount of equipment which may be judged to be reasonable under all the circumstances of the case.

In case a railroad is amply supplied with rolling stock, it must be assumed that shippers will be promptly supplied with cars upon demand. The anxiety of railroads to do business will naturally bring about this result without any assistance on the part of the Commission. Ordinarily, it is only when the supply is inadequate that complaints will arise regarding improper dis-

tribution of cars. The provisions of the statute regarding distribution in case of shortage are plain and explicit, and designed to prevent favoritism and discrimination. It is the duty of the Commission to enforce these provisions of the statute so far as possible.

There is a general impression that the demands of the local traffic within the State have, in case of such car shortages, been sacrificed to the claims of other or interstate commerce. The Commission has insisted that local traffic should be taken care of, and that railroads chartered by the State owe their first duty to the citizens of the State, and must take care of the business of those citizens. Practical and far reaching results have been obtained in this direction, although they are incapable of statistical tabulation.

The second element of proper freight service is the moving of loaded cars to destination with proper dispatch. Grievous complaints have reached us regarding this matter. The Commission has believed that the only practical way of correcting undue slowness in moving freight cars was to ascertain the cause thereof. It is sensible that an order issued by it to the companies under its supervision, to move cars with promptness, would produce no relief whatever from the evils under which the public is suffering. It believes that the only way to insure promptness in the movement of cars to ascertain the causes of delay, and by suitable proceedings remove such causes. Its investigations have satisfied it that when once a car is in motion it proceeds with reasonable speed. There is, however, at large terminals, like Buffalo, unreasonable delay in getting the car into a train after it is loaded and delivered to the railroad company. This delay arises from two causes: First, to some extent administrative inefficiency in properly attending to the work of the division terminal; second, but mainly from congestion of the terminal with business so that it is impossible to handle the car as it should be handled.

The same difficulties occur at division points, and also at delivery terminals.

The Commission has analyzed the movements of large numbers of freight cars and some of the results are interesting. Thus, in

the movement of one thousand loaded cars between East Buffalo and New York city during the months of December, 1906, and January and February, 1907, the average running time was thirty-eight hours and twenty-two minutes, while the average time occupied by the cars in yard and terminals was eighty hours and fifty minutes; the per cent. of the running time to the total time being 32.2, and the per cent. of the time in yards to the total being 67.8. Upon the average movement of one thousand loaded cars between the same points during the months of June, July, and August, 1907, the average running time was thirty-five hours and nineteen minutes; the average time in yards and terminals, seventy-two hours and thirty-six minutes; the per cent. of running time to total time being 32.7, and the per cent. of time in yards to the total being 67.3.

Since the adequacy and the efficiency of freight service depends upon the two elements: (a) the number of cars possessed by the railroad, and (b) the terminal and other facilities possessed by the railroad for the proper handling of the cars, it is obvious that the Commission must possess all the facts before it can determine whether the supply of cars is adequate or inadequate. An adequate supply of cars may be unable to do the work required, because of insufficient terminals and other facilities; while on the other hand the supply of cars and the terminals may both be inadequate. To the end of ascertaining the facts, in these respects, the Commission is pursuing inquiries and collecting statistics which are necessarily as yet incomplete and not sufficient to afford any proper conclusion. It is but just to say that some of the railroads of the State are making extraordinary efforts to enlarge their terminal facilities, at great expense. The work undertaken by The New York Central and Hudson River Railroad Company, and by the Lehigh Valley Railroad Company, at Buffalo, is deserving of mention, and will receive consideration at another place in this report.

Passenger Service.—The requirements of a reasonable passenger service are: 1, An adequate number of trains; 2, properly arranged time schedules; 3, proper stops of trains; 4, avoidance of delays, or in other words, conformity to published, scheduled time.

The passenger service, in the case of a large number of trains, has been very unsatisfactory, chiefly in the matter of failure to observe the running time given in the published schedules. The loss of time occasioned by waiting for delayed trains throughout the State is very great. The economic loss is a very considerable and important factor. The inconvenience and irritation occasioned to the public by this annoyance can hardly be overestimated. The Commission has undertaken to investigate this subject, and communicates in as condensed form as possible some of the information which it has collected.

Train 4 on the West Shore railroad early attracted the attention of the Commission, by reason of its constant failure to make schedule time. This is a train running from Buffalo to Weehawken. During the month of July it did not arrive at the city of Kingston on time in a single instance; nor did it in the month of August. The greatest delay in the month of July at that point was three hours and twenty-two minutes; in August, four hours and eight minutes. The average delay at Ravena, in the month of July, was thirty-nine minutes and forty-two seconds. The average delay at the same point, in August, was forty-three minutes and fifty seconds. During the month of September there were eight days that it was over an hour late and less than two hours, eight days it was over two hours late and less than three hours, and on one occasion it was three hours and thirty-nine minutes late. In the month of October, the average delay at the Cornwall station was thirty-one minutes and fifty-six seconds. Owing to the action of the Commission, an extra train was run from Ravena to Weehawken during the month of December whenever the train from the west was delayed, with the result that the extra arrived at Weehawken on time with the exception of two days in the month of December.

Train 26 on the Erie railroad is a local train running from Jamestown to Susquehanna, leaving Jamestown at 11:30 in the forenoon and designed to accommodate local traffic along the southern tier. It is scheduled to leave Elmira at 6 o'clock in the afternoon. From the 20th of October to the 1st of December, both inclusive, a period of forty-three days, this train reached Elmira on time, twice. Eight times it was less than half an

hour late, fourteen times it was upward of one-half and less than one hour late, seven times it was from one to two hours late, nine times from two to three hours late, once between three and four hours late, and once between four and five hours late.

Train 61 on the New York Central and Hudson River railroad is a local train running between Batavia and Buffalo, scheduled to leave Batavia at 7:15 in the morning and to arrive at Buffalo at 8:40 in the morning. During the month of December it did not arrive at Buffalo on time on any occasion. Nine times it was from ten to twenty minutes late, five times from twenty to thirty minutes late, six times from thirty to forty minutes late, eight times from forty to fifty minutes late, and three times upward of one hour late.

Train 8 on the Lehigh Valley railroad is scheduled to leave Rochester at 5:30 in the morning, and due to arrive at Ithaca at 8 o'clock in the morning. During the month of November it did not arrive at Ithaca on time on any day. A report of its actual running from November 1st to December 17th, both inclusive, shows that on nine days it was from two to twenty minutes late, six days from twenty to thirty minutes late, eight days from thirty to forty minutes late, four days from forty to fifty minutes late, six days from fifty to sixty minutes late, and nine days from one to two hours late; and five days, two hours or upward late.

The Commission is now preparing a blank, on which railroad companies will be required to report the actual movement of all passenger trains.

The Commission would consider itself derelict in the performance of its duty if it did not endeavor by every means in its power to correct such wretched service as is exhibited by the foregoing. It has been led by observation to believe that some portion of these delays arises from administrative inefficiency. This conclusion is justified by the fact that, after the attention of the Commission was directed to the subject and it took up the matter, the service has been in many cases considerably improved through the exertion of the superior officers of the company and their strict attention to the matter.

A principal cause of the delays is, in the judgment of the Commission, engine failures. By this we do not mean the failure of an engine upon a particular train alone, for frequently several trains may be delayed and the operations of the trains upon a whole division may be thrown out of adjustment by the failure of an engine upon one train, which necessarily delays all the trains which have occasion to meet or pass the train upon which the failure has occurred.

Engine failures arise from various causes. An engine, although in perfect condition, may be inadequate in power to perform the work required of it. It may be in poor condition and improperly in the service; or, like all machinery, it may meet with an accident unforeseen and unpreventable, which prevents it from performing its duty at any given moment.

It must be admitted that the railroads have had a serious problem presented to them by the growth of traffic, which required cars of constantly increasing size and tonnage, and led to trains with a constantly increasing number of cars. Engines produced but a few years since, and in the ordinary run of affairs good for years to come, are not of sufficient power to perform the work now required by the constantly increasing demands of traffic. The companies could not properly throw these engines out of service, nor is it possible, as a mechanical and financial problem, to supply new ones without delays in construction and in the procuring of the means to pay for such construction. We think it true, however, that the railroads have been sadly derelict in many cases in keeping their motive power in proper repair.

These considerations induced us to create the position of supervisor of equipment in connection with our division of railroad engineering and inspection. The work of this department has already commenced auspiciously and will be enlarged upon in another place in this report, and we confidently hope by means of it to aid very materially in bringing out the most desirable result of running trains on schedule time.

If the railroads can not possibly make the actual movement of trains correspond with their published schedules, we think it incumbent upon them that they should change their schedules to correspond with what they can accomplish with their engines.

Local Traffic.— In the matter of local passenger traffic, as well as that of local freight traffic, we believe it is our duty to insist upon the same attention to it as is given to the perhaps more profitable through traffic. This principle has been given practical application in several cases before the Commission, and was fairly enunciated is the decision given in the case of the inhabitants of Castleton against The New York Central and Hudson River Railroad Company, in which two propositions were announced, as follows: 1. It is the settled policy of this Commission that local traffic must be taken care of in a reasonable manner, having full regard to all circumstances in each case; 2. other traffic should be taken care of, but not to the prejudice of local traffic.

In the case of complaint against the Lehigh Valley Railroad Company for service upon its Naples branch, the Commission summarily ordered the restoration of a train to its former time, a change having been made to the great detriment of the public; and indicated such a disposition toward further accommodation of the passenger traffic on other branches of its railroad that the company itself placed additional trains upon the railroad and satisfied just complaints without the formal order of the Commission. This policy will continue to be pursued whenever proper occasion demands.

IV. COMPLAINTS, FORMAL AND INFORMAL.

The Commission has received upward of four hundred complaints against public service corporations. These complaints have been roughly divided into two classes, formal and informal. Informal complaints are those which, in the judgment of the Commission, could be best adjusted by correspondence with the corporation complained of; and this has proved a very successful method of handling a large number of matters. The Commission has carried on an extensive correspondence with the corporations and the complainants, and has succeeded in remedying in a large number of cases, the causes of complaint without the necessity of a hearing or a formal order. In the handling of these matters, the corporations have generally evidenced a desire to be fair, and have shown a commendable coöperation with the Commission in

remedying the grievances and satisfying a proper demand for improved conditions. The complaints relate to a wide variety of matters, the great majority being substantial and warranted, while a number were uncalled for and even absurd. In some instances they have related to matters wholly beyond the jurisdiction of the Commission.

Formal complaints have been those which the Commission has thought best to deal with in the manner prescribed by section 48 of the Public Service Commissions Law, to the end that if the complaint appeared to be just and the corporation complained of unwilling to remedy the grievance, it would be within the power of the Commission to promptly make an order such as might be demanded by the justice of the case. Fifty-six of the complaints received have been treated in this manner.

The number of complaints is constantly increasing, those received in December being much greater in number than those received in July. The prompt manner in which matters are taken up when presented, and the many satisfactory results obtained, are unquestionably responsible for the increase in this part of the Commission's work. The complaint files contain many letters of appreciation of the results obtained. We regard this part of the Commission's work as of the highest importance to the people of the State, as affording a means for the correction of grievances for which there has hitherto been no practicable remedy.

Interstate Commerce Complaints.— Many of the complaints received have related to matters pertaining to interstate commerce, over which the Commission has no jurisdiction. Without exception, however, the Commission has taken up these matters informally, advising the complainant distinctly that it had no power in the matter, but would lend its friendly offices. In many instances, some of which have been of great importance, the grievance complained of has been corrected by the corporation involved, at the instance of the Commission. Experience has shown that it is advisable for the Commission to continue the course thus far pursued, the results fully justifying the same. Section 60 of the Public Service Commissions Law permits this Commission to apply to the Interstate Commerce Commission for relief against excessive or discriminatory interstate commerce freight rates, and

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this Commission may also report to that Commission facts coming to its knowledge concerning violations of the Interstate Commerce Law; but beyond the provisions of this section it is given no powers over and no duties are imposed by law upon it in regard to interstate commerce.

V. PASSENGER AND FREIGHT RATES.

Passenger Rates.— Section 49 of the Public Service Commissions Law provides that: "Whenever either Commission shall be of opinion, after a hearing, upon a complaint made as provided in this act, that the rates, fares or charges demanded, exacted, charged or collected by any common carrier," . . . "are unjust, unreasonable, unjustly discriminatory, or unduly preferential, or in anywise in violation of any provision of law, the Commission shall determine the just and reasonable rates, fares and charges to be thereafter observed and in force as the maximum to be charged for the service to be performed, and shall fix the same by order," etc.

It is to be observed that as to rates the statute does not permit the Commission to act upon its own initiative, but that it must wait, so far as practical action is concerned, until a complaint has been made to it, in the manner provided by law, before it can appoint a hearing and make an order such as the statute contemplates. The use of the expression "after a hearing" is conclusive that upon any such hearing the Commission must, if it performs its duty, take into consideration all the facts upon which its action should be based, and judge of those facts in the light of principle and of legal rights.

The Legislature for the year 1907 passed a two-cent fare bill, which was vetoed by the Governor upon the ground that the subject should receive careful investigation and scientific treatment, and that a tribunal had been provided by law for that purpose.

The Commission has, therefore, keenly appreciated the fact that one of the important purposes of the law to which it owes its existence is an inquiry into the rates charged for passenger service. It seems to be the firm belief of a portion of the public that a rate of fare greater than two cents a mile is excessive, and that the railroads, practically without exception, can carry passengers at the

rate of two cents per mile, irrespective of varying conditions such as cost of road, cost of operation, density of traffic, and the like. The sum of two cents, toward which popular expectation seems to have been directed, so far as we know, is not the result of careful and systematic inquiry into the subject.

Immediately upon assuming office, so far as was consistent with the performance of other equally pressing and important duties which could not be ignored or delayed, we commenced the consideration of this very interesting subject. At the outset we were confronted by the consideration that, in case of complaint being made asking for a reduction, there were open to us two methods of procedure, each inconsistent with and exclusive of the other. First, we could proceed, and after a perfunctory hearing and superficial inquiry, without an investigation of the principles governing the subject of rates, without consideration of the conditions which would justify any proposed reduction, reach a decision, and thus make any determination which we might render a mere exercise of arbitrary power. It does not seem to us that such an exercise of power could be justified, under any circumstances whatever. Interests so important, so far reaching in their nature, as the proper maintenance of railroads in this State, the adequate and efficient service which should be rendered by them, the just and reasonable returns to hundreds of millions of capital invested in them, should not be subjected to the weakness, prejudice, or uninformed guess of any body of five men. We feel that upon this, as upon all other matters subject to our supervision, whatever action may be taken by us should be based upon an exhaustive examination of the facts and thorough consideration of the underlying principles, and that these facts and principles adopted by us should, in all important cases, at least, be presented plainly to the consideration of the public and of the parties interested, to the end that our action may be justified by its fairness and good sense. It is obvious that the extraordinary powers conferred upon us in the way of supervision of railroads are capable of valuable and far reaching results. If properly exercised, these powers will enhance the value of the service of the railroads to the public, and inure not only to the benefit of the public in adequate service at fair rates, but also to the rail-

roads themselves in rendering them business investments capable of affording fair and satisfactory returns. If unwisely exercised, it is possible for us not only to do the railroads great hurt, but by so doing to impose upon the public incalculable injury by destroying the efficiency of the service which it is our chief duty to promote.

We need not enlarge upon these considerations to show that a mere arbitrary decision upon our part, and an exercise of uninformed, unintelligent power in response to a demand therefor, whether it proceeds from few or many, is wholly inadmissible and one which we can not entertain for an instant.

We were, therefore, remitted to a second course: which is a full and careful consideration of the principles which underlie the exercise of the rate making power of this Commission, and an examination of the facts to which those principles apply. We were forced to observe that our action was not and ought not to be final in its nature. Any disregard upon our part of certain property rights of the corporations affected may be annulled by the courts; and we must keep within the limits prescribed by law in all action effecting the income to be derived from investments in the railroads of the State of New York.

The first point which naturally attracts the attention of one entering upon an investigation of this question, as a mere business proposition, is that a reduction of rate from say three cents to two cents is a reduction at the rate of 33⅓ per cent. If all the passenger fares in the State were at the rate of three cents per mile, such proposed reduction would reduce the revenues derived therefrom by one-third. Whether it would be possible for the railroads to operate with such an enormous cut in income, at a time of a rise in prices both of material and of labor, is a fair business question, which must be determined by consideration of facts and figures and not by fancy or sentiment. It is true that not all the fares in the State are at the rate of three cents per mile; and it is also true that, considered upon a mileage basis, the average per mile does not vary greatly from two cents.

The published statistics as to the average rate per mile are of but very little value. It must be borne in mind that they em-

brace all commutation and excursion rates; and also the rates for immigrants, which are fixed by the Penal Code of this State at one and one-fourth cents per mile. They are also unreliable at the present time by reason of the fact that they fail to disclose how many people have been carried, for reasons which we need not now inquire into, free of cost, as what are popularly known as "deadheads". The abolition of this particular form of transportation must undoubtedly produce a marked effect upon the net revenues derived from the passenger business.

It is also true that at the outset there are certain general considerations which point forcibly to the fact that passengers may be carried for two cents per mile and still afford a fair remuneration to the railroads. One of these is the action of the railroads themselves. Nearly all the railroads within this State are actually carrying the general public at the rate of two cents per mile, if the passenger will only purchase at one time transportation to the amount of $20, and in one conspicuous case $10, although that transportation may be taken, as it were, in instalments to suit the purchaser. We refer to the practically universal use of mileage books. It is true that the use of mileage books was unwillingly introduced by the railroads in response to a popular demand and a pressure made upon them in this State for cheaper transportation for those who were constantly engaged in traveling. The principle upon which it was justified is that which justifies a less price for a wholesale purchase than for a retail. The practical working of the use of mileage books has dissipated any such theory. The purchase of transportation to the extent of 500 or 1,000 miles at one time, usable in instalments, is not in any respect a wholesale transaction as distinguished from a retail transaction for the purchase of a one-way, single-fare ticket for a distance of 440 or 900 miles. For the purpose of possessing ourselves thoroughly of the views of the railroads upon this question, a hearing was had November 25, 1907, upon the subject of the use of interchangeable mileage books upon all the railroads of the State, to be sold at a uniform rate of two cents per mile. It was not expected that this hearing would produce any immediate results in practice, but it was confidently believed, and in this belief the Commission has not been disappointed, that such hear-

ing would produce the important result of defining the position of the railroads toward this question, and in the production of reasons which would be of great weight and potency in determining any practical action which the Commission might thereafter take. The hearing established two facts: First, the representatives of the railroads were unanimous that the mileage book was to them a very unsatisfactory form in which to sell transportation; second, no railroad was willing to abandon it or had under consideration the subject of abandoning it. Another conclusion which forced itself upon the minds of the Commission, from all that was said and from what was significantly left unsaid at such hearing, was that the railroads themselves have no settled principles derived from the consideration of legitimate facts upon which passenger rates should be determined. Apparently, the method of fixing fares generally adopted by them is mainly arbitrary.

In another hearing held by the Commission December 17, 1907, upon the subject of the inequality of fares prevailing upon the line of the New York Central and Hudson River railroad, it seemed to be practically admitted by the representatives of that company that fares at times had been fixed by the mere arbitrary act of some irresponsible clerk, and had never been subjected to any careful scrutiny or revision, or to the judgment of the board of directors, or of the proper superior officers of the company. The origin of certain extraordinary and inexplicable rates was veiled in mystery and in the haze of immemorial usage. We are forced to the conclusion that the railroads themselves are not wholly free from proceeding in an arbitrary, irresponsible, and reckless manner such as we have heretofore shown to be wholly inadmissible upon the part of this Commission.

It is sometimes urged that the existence of commutation and excursion rates justifies a uniform rate of two cents per mile for ordinary travel. No considerations have suggested themselves to us, nor have they been submitted by others, which show that this is so. The circumstances attending commutation and excursion rates are peculiar. Such rates are easily justified upon

principles wholly unconnected with ordinary travel, as we shall attempt to show when we reach their consideration.

Without pursuing this subject further in detail, we think it may be assumed that the use of mileage books at the rate of two cents per mile, coupled with the fact that the railroads are unwilling to discontinue such use, but have encouraged and propose to perpetuate it, affords such reasonable presumption that they can afford to carry all passengers at the same rate as that given by mileage books, as to justify exhaustive inquiry into the facts. We clearly recognize that such presumption may not of itself be sufficient to justify a reduction in the rate, and that full inquiry may possibly show the contrary. It is impracticable at this time to state the reasons urged by the railroad corporations in either defense or condemnation of the mileage book, but we have failed to observe any substantial proof offered by the corporations that the use of such books was continued at a loss to themselves, or that they did not, take it as a whole, afford a reasonable profit upon the business.

These conclusions have naturally remitted us to an inquiry into what are the principles which should determine a just and reasonable rate.

Fair Returns.—When we come to the question of what is to be considered in establishing a just and reasonable passenger rate, we have elements of varying degrees of importance and no one of which is controlling. One of these which must be recognized is that a corporation rendering service is entitled to a fair and reasonable return. Waiving, for the moment, what constitutes a fair and reasonable return, the question immediately arises: upon what should that fair and reasonable return be based; and as to what this base, as we may call it, should be, there is, naturally, a very considerable difference of opinion. If corporations were always capitalized upon a proper and defensible business basis, we might assume that this return should be based upon the capitalization, meaning thereby not only the capital stock but also the bonded indebtedness, the interest upon which constitutes a fixed charge upon the company. The history of corporate management does not readily incline one to adopt this as the proper base; and, in fact, the more one becomes informed as to the methods pursued

in paper capitalization the more difficult it becomes to consider that as entitled to large consideration. If we were to adopt the paper capitalization of the railroads in this State as a base, it would at once foreclose all further inquiry, for the returns upon the capitalization of steam railroads can not be justly claimed to be excessive. Eliminating from consideration, for the moment, the bonded indebtedness, and considering merely the dividends which have been returned upon the capital stock, we think no one will say that those dividends have been in any respect unduly great. This Commission, for the purpose of proceeding advisedly upon this question, has caused to be prepared a tabulation of all the operating steam railroads in the State, and also of all those railroads not operating but whose lines are leased to operating lines, showing the amount of the capital stock of each railroad, and the dividends actually declared thereon for the ten years ending June 30, 1906. The results thus tabulated are somewhat curious. Out of a total number of 73 operating railroads, 45 have declared no dividends whatsoever. The two great lines of railroad within the State are the New York Central and Hudson River, and the Erie. The Central, for the years 1897, 1898, and 1899, declared a dividend of 4 per cent.; in 1900, a dividend of 3½ per cent. upon $100,000,000 of capital stock, and 1¼ per cent. upon $115,000,000 of capital stock; and for the years 1901, 1902, 1903, 1904, 1905, and 1906, a dividend of 5 per cent. The Erie, upon its common stock, amounting to $112,246,300, has declared no dividend whatsoever. Upon its first preferred stock of $46,000,000, increased to $47,892,400 in 1901, it declared no dividend whatever for the first five years of the ten under consideration. In 1902 it declared a dividend of 3 per cent.; in 1903, 3½ per cent.; and for the three remaining years a dividend of 4 per cent. Upon its second preferred stock, amounting to $16,000,000, it declared no dividend whatsoever until the year 1905, in which year, and the year 1906, it declared a dividend of 4 per cent. The New York, New Haven and Hartford, a small portion of whose line extends within this State, has declared a uniform dividend of 8 per cent. for the ten years under consideration. The Lehigh Valley proper has declared no dividends upon its common stock, except 3 per cent. in 1905, and 4 per cent. in 1906. The Lake

Shore and Michigan Southern, a small portion of whose lines is within this State, declared 8 per cent. dividend upon its common stock in 1904, 1905, and 1906, 7 per cent. the five preceding years, 6½ per cent. in 1898, and 6 per cent. in 1897.

The amount of these dividends is such that we are forced to the conclusion that it may become the duty of this Commission, in making a fair and just determination as to passenger rates, to determine only after careful consideration what base should be adopted upon which to compute the fair and reasonable returns to be allowed a corporation. If that base is the amount of capital stock, the question there stops and the inquiry is practically ended. If, on the other hand, the amount of nominal capitalization is disregarded, obviously we have before us a toilsome journey. Several alternatives present themselves: We may consider (1) the actual cost of the road; (2) the cost to reproduce the road; (3) the bona fide investment made by the present owners of the nominal capitalization of the property. Obviously, none of these matters can be determined with accuracy. It is clear that whatever base is adopted an honest effort should be made to obtain a reasonable approximation to accuracy. This involves careful research and statistical inquiry.

It is possible, however, that this difficult inquiry into the cost or value of a railroad property need not in all cases be undertaken to reach a just conclusion as to passenger rates. Certainly, no such inquiry would be undertaken to determine whether a single freight rate or a single passenger rate between two given points was just and reasonable; and in an inquiry as to the reasonableness of all passenger rates, other considerations might prove sufficient for a just determination. Even then the investigation would be fraught with difficulty and would involve the determination of facts not easy to ascertain.

It must not be assumed for a moment that the fair return upon the amount invested in a property is always a controlling factor in the rate which should be charged. An expensive road may have been constructed through a sparsely settled country at an enormous expense. It might, in such a case, be impossible to afford a fair return upon the amount invested, for the simple reason that it was so poorly invested that any rate which would afford

a fair return would be prohibitive. The amount of traffic not having justified the construction of the road, those making the investment must bear the consequences of their own folly, and the general public should not be required to pay a fair return in every foolish, ill-considered, or speculative enterprise which promoters may enter upon.

Depreciation.— After a road has once been constructed, it rapidly depreciates in value. Large annual outlays are required to preserve the plant in working condition. This element of depreciation must be provided for out of the earnings. Unfortunately, however, this element has never been properly taken into consideration in the accounts of railroad corporations. It has been handled in various ways, not infrequently, we believe, by increasing the capitalization to provide new equipment as that in use wore out, and to make repairs to the roadbed, and in the replacing of rails, ties, and other indispensable portions of the plant. The whole subject of depreciation accounts is in a confused and unsatisfactory condition. An effort is being made through a uniform system of accounts, which requires proper provision to be made for depreciation, to put it upon a better footing, and one which will enable those in authority to see what is justly and fairly the annual depreciation of the various parts of a railroad system and how much of the annual gross earnings should be set aside for that purpose.

It should be constantly borne in mind that any reduction of rates which forbids a railroad from making proper provision for depreciation is a serious, and, indeed, irreparable injury to the public. It is essential to adequacy and efficiency of service that depreciation be provided for out of earnings, and earnings result from the rates charged. There is no escaping the proposition that the public must pay for the depreciation. Either the public must pay or the company itself must pay. The railroad itself has no means of paying except from the earnings, which, of course, means payment by the public; or by an increase of capitalization, and this is, as is apparent, a suicidal course, and can only result in absolute financial chaos. No argument is required to show what it will lead to.

Cost of Operation.— Another element, and one which can not in any way be ignored, is the cost of operation. This the public must pay for. If the sole business transacted by a railroad were the transporting of passengers wholly within the State of New York, this question of cost of operation would be very simple. The fact is, however, that it is very complex. The reasons why it is complex are numerous. As railroads are universally engaged in the transportation of both freight and passengers, a large proportion of the operating expense incurred by railroad corporations is chargeable both to freight and passenger traffic. The expense of maintenance of roadbed, the maintenance of terminals, the salaries of general officers and station employees, the taxes, general expenses, and to some extent the depreciation account, are common to and borne by both classes of business. The question arises, in what proportion should the same be borne by passenger and what by freight business. No satisfactory answer to this question has yet been given, and until such answer is given the actual cost of carrying passengers is to that extent unknown to both the railroad corporations and the Commission. Opinions vary, arbitrary methods have been suggested, but, so far as we are advised, no one of those has escaped serious and perhaps destructive criticism.

A large proportion of the passenger business is interstate in its character, and over this the state authorities have no control. This traffic is carried on in the same trains, and upon the same track, with the intrastate passenger traffic.

The Question not Insoluble.— The foregoing discussion may create the impression that the question is insoluble from a business point of view; that the difficulties are so great, the questions so complex, that no rational and independent decision can be reached by investigation and reflection, and that the ultimate solution must be afforded by the arbitrary action which we have repudiated and disavowed. In this conclusion the Commission does not concur. It has stated some of the difficulties fully and fairly. It has not stated them exhaustively nor intended so to do. It has desired simply to show that the subject is exceedingly complex, exceedingly difficult, but it has not desired to produce the impression, and explicitly disavows the conclusion, that the subject is incapable of business-like treatment. It recognizes fully that absolute

correctness can not be attained. It finds that in nearly all business there is an element of uncertainty upon which judgment and discretion can be used, and it believes that fair investigation and fair inquiry will enable that judgment and that discretion to be exercised wisely and well, while without such investigation and such inquiry it is not possible to exercise judgment or discretion, although it is possible to merely guess away the property of others.

Adequacy and Efficiency of Service.—While the Commission has been pursuing various lines of inquiry in its investigation upon this very important and interesting subject, it has rested upon the fundamental proposition that the public, first of all, is interested in the adequacy and efficiency of the service rendered by the railroads. It believes that it may stand safely upon the proposition that its first duty is to devote itself to securing for that public such adequacy and efficiency, both of which, as we have elsewhere shown, are sadly lacking at the present time. It believes that it can not wisely establish a permanent rate which will take care of the cost of operation and the cost of depreciation until it has made measurable progress in extirpating the vicious course of taking care of depreciation by capitalization, and until it has learned the cost of the service. Service which it expects and will demand, and, so far as lies within its power, will enforce, may be more costly than that which is now given. It is believed that with some railroads, at least, the operating costs have been reduced to an unjustifiable extent for the sole purpose of diverting the earnings to other purposes, which earnings should have been devoted to increasing the efficiency of operation. It is not believed that the Commission is now in possession of statistics sufficient to enable it to judge with accuracy of the cost of the efficient operation.

Fixed Rate of Fare and Varying Cost of Operation.— It must be borne in mind that the cost of operation varies from time to time owing to the amount of wages and the cost of material. The exigencies, however, of the passenger rate demand that it should be fixed and inflexible at least through a term of years, irrespective of the fluctuations of the cost of operation. This is a very serious, practical problem. Assuming that the owners of a railroad

are entitled to a given return upon the capitalization, and that the gross earnings remain the same from year to year during a season of low prices for material and labor, there may remain a considerable surplus arising from the fact that the cost of operation is low. This surplus may be disposed of by increasing the return to the stockholders, or it may be extinguished by lowering the rate. The public is apt to insist upon the latter course. If this disposition of such surplus should be made, we are confronted by the difficulty that when the cost of operation has measurably increased, owing to the prevalence of higher prices for labor and material, a deficiency is created. The deficiency must be met, either by decreasing the rate of return to the stockholders which being only reasonable before should remain constant, or by increasing the price of service to the public. If the public is to receive the benefit of the low prices, it is difficult to see why it should not bear the burden of the high price. If the stockholders are not allowed to gain extra advantage out of the increased profits of the railroad, no reason is apparent why they should bear the losses incurred in bad seasons. If they are entitled to a fixed rate of profit upon a given basis, then, obviously, if the public reaps the benefit of the profit it must also bear the burden of the loss which may inure owing to the varying costs of successfully operating the railroad. This difficulty must obviously be adjusted by a consideration of cost of operation as well as of depreciation through a series of years covering both low and high prices. To appeal to a year of low prices, or to a year of high prices, alone, is obviously unfair and unjust to both sides. A corporation may justly make large profits in one year if it is required to do business upon a basis which will necessarily compel it to meet only loss at another time.

Increase of Passenger Rates.— The foregoing considerations are intended to relate only to a proposed reduction of rates which have been sanctioned by law and which have been in use during a long series of years. If a railroad corporation proposes to increase rates, another question is presented.

At the hearing given by this Commission upon the subject of a uniform passenger rate of two cents per mile on the line of The New York Central and Hudson River Railroad Company, it was

stated by a representative of that company that it was contemplating an increase in passenger rates upon its Hudson River division to two and one-half cents per mile, and that a tariff to this effect had already been framed and printed by the company, although not formally adopted by the board of directors or other competent authority.

Any such increase, however, upon the part of the company would undoubtedly lead to a complaint demanding the action of the Commission, and it is deemed proper that both the Legislature and the public to be affected by such change in rates should be informed of the principles upon which the Commission would act in such contingency. The rates now in effect have been in force for many years without any public suggestion that they were in any respect inadequate or unremunerative to the company. The accounts of the corporation, as we understand, are kept in such shape that they do not show that such rates are inadequate, and to deduce that conclusion from such accounts would require an arbitrary division of a large proportion of the expense of operating and maintaining the railroad between freight and passenger business, without any clear and well defined principle derived from actual experience to sustain the same. The company is operating its railroad at the two-cent rate on the line between Albany and Buffalo upon a remunerative basis. It is also selling transportation over its entire lines in the State of New York, including the Rome, Watertown and Ogdensburg, and the Adirondack railroads, at the rate of two cents per mile in the form of mileage books, good for any number of persons and to any person. It takes care of its fixed charges, maintains its road, and pays a fair return by dividends upon its capital stock. These facts certainly constitute a *prima facie* case that the proposed increase in rates would be unjustifiable, and without clear and satisfactory proof to the contrary given by the company, would alone justify the Commission in restoring the rate to two cents per mile, and also in cutting off certain arbitrary excesses above that amount which now obtain upon local tickets upon the Hudson River division.

Commutation Rates.— In the last days of June, 1907, The New York Central and Hudson River Railroad Company increased certain commutation rates upon its lines entering the city of New

York. The Commission endeavored by informal conference with the officers of the company to have such rates replaced to the former basis, but was unsuccessful in its attempt. Thereafter, and in the month of July, a hearing was given upon the subject, which was largely attended by citizens of the cities of Mt. Vernon and Yonkers, and was also attended by representatives of the company. Certain legal difficulties in the way of immediate action by the Commission presented themselves, and at its suggestion formal complaints have been filed with it against this action of the company. These complaints have been served upon the company, answers have been made, and the question is now before the Commission ready for hearing.

The Commission has deemed it wise to delay such hearing until it could give full and careful consideration to the questions of principle and fact involved. On the one hand, it desires to preserve to the commuters patronizing the railroad of this company their just rights and to do whatever lies within its power to give them transportation at as low rate as is consistent, just, and reasonable. On the other hand, it has no disposition to refuse to the company its just rights to manage its own business and to charge such rate of fare as it is entitled to, all things considered.

A legal question is presented as to the right of the Commission to fix the maximum rate for commuters' fares, and it desires to be reasonably sure of its position upon this question before giving final judgment upon the issue presented to it. It expects, however, shortly to undertake the investigation of this matter and push it to a conclusion as early as may be consistent with the proper dispatch of other business of equal or greater importance.

This discussion, incomplete and inadequate as we know it to be, and intended to be only suggestive in its character, may be properly brought to a conclusion at this point by stating certain propositions which the Commission feels itself justified in holding:

1. That the extensive use by any corporation of a mileage book affording transportation at the rate of two cents per mile, which use is encouraged by the corporation by reducing the conditions and restrictions attached thereto, affords a reasonable presumption

that the corporation sells such transportation at a reasonable profit.

2. That there is no such distinction between transportation by means of a mileage book and that by means of an ordinary ticket as to justify the conclusion that transportation by ticket can not be afforded at the same price as by mileage book.

3. That in view of these presumptions it is the duty of this Commission to proceed as it reasonably can with an investigation of the subject of passenger fares in this State, and to ascertain whether or not it is just and proper to make any change in the maximum amount to be charged per mile.

4. That such investigation may properly involve and require the examination of accounts which are not now and have not been kept by the railroad corporations.

5. That the Commission will proceed in this work according to its best judgment, in the hope that whatever conclusion may be reached by it will be warranted by facts, justified by principle, fair to the public, and just to the railroad corporations.

Freight Rates.— There have been comparatively few complaints of freight rates presented to the Commission during the period covered by this report, and the great majority of these have been settled by informal investigation. The Commission is advised that one or two cases of some importance involving the lawfulness of rates in particular sections will shortly be instituted. As yet, however, there has been no proceeding brought by any shipper or association of shippers bringing in controversy the reasonableness of freight charges, and those complaints which have come to us informally involving the reasonableness of rates have chiefly referred to switching charges.

On or about the date when the new law became effective several of the larger carriers by railroad increased their charges for switching at a number of points, of which Buffalo is an instance. Some of these increased switching charges at Buffalo were shortly afterward somewhat reduced, but it is understood that at least some of the charges now made for such service at that point are still considered too high by shippers in that locality, and that one or more cases to test the legality of these charges will be brought before us for action.

There has been for some years a tendency among the carriers to increase the minimum weights of carload shipments as from time to time the freight equipment has come to embrace a greater percentage of the modern cars of large capacity, and this operates, of course, to increase the charge per car whenever the carload falls below the advanced minimum. Incidentally, these increases in minimum carload weights compel readjustment of trade sales to the basis of the new minimum; and create, as to the lighter commodities, a demand by shippers for the larger cars, which the carriers are not always in a position to supply. When a carrier furnishes a large car to one shipper, and a small car to another, both shipping a commodity which requires the larger car space to reach the carrier's established minimum load, the discrimination is as plain and as unjust as if the carrier had deliberately charged a lower rate to the one shipper than to the other. It is no answer to say that the shipper could refuse the small car and wait for a larger car to be furnished at some indefinite time or according to the carrier's convenience. When carriers deliberately raise the minimum carload weight for any given commodity, their obligation to furnish cars for shipments within a reasonable time includes the provision of a car in such time which will permit the shipment to be made in accordance with their own rules, and not operate to force a charge for the shipment higher than that in their published tariffs. There is much to be said in favor of a minimum carload weight which will vary with the capacity of the car furnished. A quite general rule for live stock shipments makes the minimum load vary according to the length of the car.

The classification of freights, as is well known, determines the class of rates which apply to all shipments not carried under special rate tariffs. As a given article is changed from one class to another, or regulations are inserted in the classification affecting rates, changes result in the same degree as if the rates themselves were changed by direct action. The freight classification applied by carriers in this State is what is known as "The Official Classification," which is made by the eastern trunk line carriers and is adopted and enforced by all steam railroad carriers in the territory roughly described as east of the Mississippi river and

north of the Ohio river and Virginia-Carolina state lines. The individual carriers some times vary from this classification by establishing a special classification for a few articles in what are known as "Exception Sheets;" but as a rule, class freight generally in this State is governed by "The Official Classification," and the carriers' separately established class rates applied thereto. It thus results that rates on classified freight transported within the State of New York may be and often are raised or reduced by changes in classification previously adopted by the carriers acting in concert with particular reference to the great interstate movements of freight within the large territory above described. The extent to which this may be carried is indicated by the fact that in the year 1900, the rates on many hundreds articles between all points in the official classification territory and over all railroads in that territory were materially increased by summary action taken at meetings of the carriers' official classification committee. It is practicable at all times for the carriers, so associated, to increase the classification of freight articles and so advance the rates, upon publishing and filing notice thereof for thirty days; and in case of increase in rate on a considerable number of articles, it would be impracticable, even if complaint by shippers were immediately filed, to investigate and issue necessary regulating orders within that period. To meet this condition it may be necessary to devise some means whereby material advances in rates on important staple articles or other largely shipped commodities may be stayed for a reasonable time pending necessary investigation, for it is no more than just that the law should be effective in operation to the extent of providing machinery for the prevention of wholesale injustice. The resources for regulation which the present law may afford have not been fully tested, and the Commission now merely refers by way of description to a condition which may arise at some time in the future as it has arisen in the past.

In this connection it is proper also to observe that when carriers have under consideration the making of important rate advances, they should at least take steps to hear the objections of shippers, and should give all proper weight thereto before determining upon such action.

Reference to freight classification would be incomplete without allusion to the movement now going on among the carriers to agree upon a uniform classification for the whole country. A large committee of railroad representatives having the matter in charge met in New York city on January 8th, and it is understood perfected an organization. Whether this renewed attempt to secure uniformity in the classification of freight articles will prove successful must depend upon a real determination of the carriers in all sections to harmonize differences of opinion and divergent interests. The movement, which commenced so long ago as 1888, never made any great headway after the failure of the carriers to accept the uniform classification recommended by the committee appointed then or in the year following, though the desirability of such uniformity has since been continuously advocated by numerous shipping interests, many railroad officials, the Federal commission and many of the state commissions, the Association of Railway Commissioners, and by action taken now and then in each branch of Congress. The whole scheme is full of difficulties, and apart from the considerations inhering in the attempt to prepare the classification itself, is the rather serious problem whether, when completed and adopted by the carriers, it will be found adapted in all cases to requirements of traffic within each and all of the various states. As stated in another part of this report, this Commission intends to carefully observe and as far as practicable inform the public of changes in important rates produced by classification or otherwise.

Considered solely with reference to amount, the freight rates of carriers operating in New York state are, because of large aggregate traffic, among the lowest for given distances in the United States; and while from time to time complaints based upon a rate alleged to be unreasonable in its actual application to the particular traffic and movement have been and will doubtless be received and investigated, the rate complaints which this Commission will ordinarily be called upon to consider will be those in which the grievances alleged rest chiefly upon the relation of one freight charge to another or to others. This relation may include what is charged on another railroad as well as upon the railroad of the carrier against whom complaint is made. The Commission deems

it inappropriate at this time to enter upon any discussion of principles affecting the reasonableness or justice of freight rates, preferring to announce them from time to time as may be found necessary in particular cases.

VI. MISCELLANEOUS MATTERS.

Rules.— Pursuant to requirements of section 20 of the Public Service Commissions Law, this Commission has established rules of practice to be observed in all proceedings before it. Before adoption these rules were carefully considered in the light of the experience of the Commission, and have thus far been found adequate to the prompt and easy dispatch of business. They have been printed in pamphlet form and are distributed gratuitously for the information of those having occasion to appear before the Commission.

Opinions.— In cases which involve principles of general application or interest, the Commission has adopted the practice of writing opinions and publishing the same. This course thoroughly advises the public and all interested parties of the principles upon which the Commission proceeds in deciding the questions coming before it, and insures the greatest possible attention to and reflection upon the principles which should govern its action.

Saratoga Springs Gas Case.— Pursuant to the provisions of chapter 737 of the laws of 1905, the former gas and electricity law, the trustees of the village of Saratoga Springs made complaint to the former Commission of Gas and Electricity against the Saratoga Gas, Electric Light and Power Company, concerning the prices charged to the residents of the village of Saratoga Springs by that company. Proceedings were had before the Commission of Gas and Electricity upon this complaint which resulted in a decision by that Commission, made June 28, 1907, reducing the prices to be charged by the company complained of. An appeal was taken by the defendant company to the Appellate Division of the Supreme Court, Third Department, from this order, which appeal was argued at Saratoga Springs on the 25th of September, 1907. Shortly before this argument the attention of this Commission was brought to the fact that the appellant designed to raise upon the appeal the question that it was

unconstitutional for the Legislature to confer upon a commission the power to fix the prices to be charged by a public service corporation. By section 12 of the Public Service Commissions Law this Commission is practically directed to intervene if possible in any action or proceeding in a court in which any question raised under that law is involved. The Public Service Commissions Law confers upon this Commission the power to fix the maximum rates to be charged by common carriers, gas and electrical corporations, and therefore the appeal in question directly involved the constitutionality of one of the most considerable powers conferred upon this Commission. It therefore prepared a brief upon this question, which the Appellate Division consented to receive and consider, all of the parties to the proceeding courteously consenting thereto.

The decision of the Appellate Division was to the effect that it is constitutional for the Legislature to confer the rate making power upon the Commission, and thus sustained the provisions of the Public Service Commissions Law which it is the duty of the Commission to defend.

An appeal was taken by the defendant company from the judgment of the Appellate Division, and argument upon this appeal was heard by the Court of Appeals January 20th. This Commission, with the consent of that Court, intervened upon the argument and submitted a brief in support of its position.

United States Express Company Case.—Complaint has been made to the Commission by a committee claiming to represent the owners of a majority of the stock of the United States Express Company, that said majority owners of such stock are unable to procure a meeting of the stockholders for the purpose of the consideration of the affairs of the company, including the election of directors; that the directors of the company allege they have no power to call such a meeting except upon the written request of the owners of two-thirds of the stock of the company; and that the directors of the company are a self-perpetuating body, who out of a total capitalization of $10,000,000, own stock to the amount of but $70,000.

The United States Express Company is a joint-stock association, owing its existence to an agreement entered into between the

original stockholders in the year 1854. The petitioners asked of this Commission that it proceed, under subdivision 4 of section 45 of the Public Service Commissions Law, to inquire into the matters complained of, and if satisfied that the rights of the majority stockholders so require, that it should recommend to the Legislature the enactment of such legislation as it deems wise or necessary in the public interest.

The complaint submitted to the Commission was served upon the company, and a public hearing was had upon such complaint on the 11th of November last, at which hearing the company appeared by its attorney and raised the question that it was beyond the constitutional power of the Legislature to in any manner change or alter the provisions of the original articles of association of the company. This position being controverted by the counsel for the petitioners, printed briefs were directed to be submitted, which pursuant to such direction have been filed with the Commission; and it is now considering the questions thus presented to it. It may have occasion to report further upon this matter during the present session of the Legislature.

Sundry Applications not Elsewhere Mentioned.—There have been a variety of applications under sundry sections of the Railroad Law and of the Public Service Commissions Law which have been acted upon, but which are not easily classified. The following is a list thereof:

Name of Applicant.	Nature of application.	Decided.
		1907
Delaware, Lackawanna & Western Railroad Co.	§ 54 P. S. C. Law	Aug. 19
Fonda, Johnstown & Gloversville Railroad Co.	§ 103 Railroad Law	Sept. 10
Troy Gas Co.	§ 70 P. S. C. Law	Oct. 1
Auburn & Syracuse Electric Railroad Co.	§ 2, Chap. 239, Laws 1893	Oct. 3
Fishkill Electric Railway Company	§ 103 Railroad Law	Oct. 4
West Shore Railroad Company	§ 34 Railroad Law	Oct. 22
New York, New Haven & Hartford Railroad Co. and Central New England Railway Co.	§ 34 Railroad Law	Oct. 23
Buffalo, Lockport & Rochester Railway Co.	§ 68 Railroad Law	Oct. 23
New York, New Haven & Hartford Railroad Co.	§ 54 P. S. C. Law	Oct. 28
International Railway Co.	§ 68 Railroad Law	Oct. 29
Lockport Light, Heat & Power Co.	§ 70 P. S. C. Law	Oct. 31
Lockport Light, Heat & Power Co.	§ 70 P. S. C. Law	Oct. 31
Electric City Railway Company	§ 68 Railroad Law	Nov. 8
New York & Stamford Railroad Co.	§ 103 Railroad Law	Nov. 12
Nassau Light & Power Co.	§ 70 P. S. C. Law	Nov. 13
Western New York & Pennsylvania Traction Co.	§ 68 Railroad Law	Nov. 20
Western New York & Pennsylvania Traction Co.	§ 68 Railroad Law	Nov. 20
Central New England Railway Company	§ 34 Railroad Law	Nov. 26
Frederick W. Bauer	Revocation certificate of necessity	

PART II.

VII. WORK OF DIVISION OF STATISTICS AND ACCOUNTS.

This division has been engaged in the compilation, from the annual reports of the corporations reporting to this Commission, the statistics which it deems to be of value to the public. The form of the tables has been entirely rearranged. They will be published as an appendix to this report, and it is confidently believed that these tables will be a distinct improvement. This work, however, must speak for itself without further comment from the Commission.

A few observations in this place upon the purposes of this division would seem to be appropriate.

One of the purposes is the collection, compilation, analysis, and publication of statistics of the operations of corporations and other persons within the jurisdiction of this Commission, of their present condition, and of their history so far as the same may seem material to the proper performance of the Commission's duties, or conducive to the proper information of the public and the maintenance of a just attitude and disposition on the part of the public toward corporations and other persons engaged in rendering services affected with a public interest. An accurate and adequate knowledge of the affairs and operations of such corporations and other persons is of great importance. It is the purpose of the division of statistics and accounts to collect systematically, and to such extent as may be practicable, all statistical information concerning the corporations under its supervision that may be deemed useful, and to compile, analyze, and publish the same in such form and to such extent as the public interests may seem to warrant.

No statistics can be worthy of confidence unless based upon comparable units. This requires that the units with which statistical analysis has to deal shall, so far as practicable, be standardized, and that the accounts embodying such units or upon which such units are based shall be kept on uniform principles. The

State, in creating this Commission, wisely endowed it with power to formulate and establish uniform systems of accounts to be kept by the various classes of corporations and other persons within its jurisdiction. The work of formulation of such system of accounts has been intrusted to the division of statistics and accounts, and is now in progress. For steam railroad carriers, a considerable part of the formulation of such a system of uniform accounts has already been accomplished by the division of statistics and accounts of the Interstate Commerce Commission, working in conjunction with the Association of American Railway Accounting Officers.

That Commission, under date of June 3, 1907, promulgated a series of orders covering the accounting for operating revenues, operating expenses, expenditures for road and equipment, locomotive-miles, car-miles, and train-miles. Because of the extensive and inevitable intermingling of interstate and state commerce in the operations of such carriers, it has seemed necessary (and this necessity is recognized in the requirement of the statute) that the accounting system prescribed by this Commission shall conform to and be in harmony with that prescribed by the Interstate Commerce Commission. Accordingly, this Commission, December 16, 1907, ordered the steam railroad carriers of this State operating within the Second District, to put in force January 1, 1908, and thereafter to keep, a system of accounts covering operating revenues, operating expenses, expenditures for road and equipment, and locomotive-miles, car-miles, and train-miles, which is in all essential matters in complete harmony with that heretofore adopted by the Interstate Commerce Commission. That Commission, through its division of statistics and accounts, and in conjunction with the Association of American Railway Accounting Officers, the American Railway Association, and other interested associations and bodies, is now engaged in formulating the remainder of a complete scheme of accounts covering the operation and affairs of steam railroad carriers. In such formulation, the division of statistics and accounts of this Commission is participating, and it is expected that upon the completion of the scheme and the issuance of an order relative thereto by the Interstate Commerce Commission, the result will

be such that this Commission can adopt it, if not without substantial change, yet without inharmonious modifications, such changes as may be found necessary by this Commission being merely in extensions of the fundamental principles embodied in the Interstate Commerce Commission scheme and in no way in contravention thereof.

This Commission, acting in conjunction with the Public Service Commission for the First District, the Interstate Commerce Commission, the National Association of State Railroad Commissioners, various state railroad commissions, the Street Railway Association of the State of New York, the American Street and Interurban Railway Association, and various other interested associations and bodies, is now actively engaged in the formulation of a scheme of accounts for street and interurban carriers operating by other motive powers than steam; and it is confidently expected that a scheme of accounts will be worked out for such carriers which may be made standard for the entire country, and which will not only meet the needs of all parties in interest, but will also be in substantial harmony with the standard system of accounts for steam railroad carriers.

Like work is under way and actively in progress in relation to standard systems of accounting for gas corporations and electrical corporations, and it is expected that acting in conjunction with the Public Service Commission for the First District, and with the aid of the committees of the Empire State Gas and Electric Association, the American Gas Institute, and the National Electric Light Association, this Commission will be able to prescribe standard systems of accounts for such corporations within the Second District, which shall not only meet the needs of such corporations, and of this Commission, but shall be in substantial harmony with standard schemes of accounts for such corporations in sister states.

Referring to the work of preparing a uniform system of accounts for street and interurban railroad corporations, a meeting under the auspices of the Interstate Commerce Commission was held in the city of Washington, on the 17th of December, 1907, to consider a report of the committee upon the form of such accounts. It was brought to the knowledge of this Commission

that there was a very considerable difference of opinion between members of the committee as to whether depreciation should be taken notice of in such system of accounts. A part of the committee eliminated entirely from the system suggested by them a depreciation account.

It seemed desirable to this Commission, for reasons which need not be enlarged upon, to make its position definitely known at that time. It therefore prepared a communication to Professor Henry C. Adams, in charge of the statistics and accounts for the Interstate Commerce Commission, defining its position, and inclosing with it a general statement of that position, which it authorized to be read at the meeting. This statement embodies the well settled conclusion of the Commission, and it sees no reason for changing the determination therein announced. The communication, which we are advised was read to the meeting, is as follows:

"The Public Service Commission, Second District, State of New York, has received and carefully considered the report of the special committee on classification of electric railway accounts, dated the 3rd of the present month. It has noted with interest Exhibit D attached to said report, being a comparative statement showing the differences existing between tentative classifications of electric railway accounts, as recommended by different members of the special committee.

"The fundamental difference between Exhibit B and Exhibit C seems to lie in the omission from Exhibit C of depreciation accounts in maintenance of way and structures and maintenance of equipment. Regarding this omission, it is deemed wise to advise all persons and corporations interested of the settled conclusions of this Commission:

"1. In prescribing a uniform form of accounts for electric railways within its jurisdiction and under its supervision, the Commission will provide a depreciation account relating to all classes of property subject to depreciation. It believes that such an account is by necessary implication required by the statutes of the State of New York, and that if such were not the statutory requirement, good practice would compel its use.

"2. It recognizes that there are serious difficulties and embarrassments in the immediate use of such an account in the form in which it should ultimately be kept. These difficulties and embarrassments it is disposed to minimize, but not to the extent of infringing upon fundamental principle. Whatever is to be done in this behalf is a question of detail to be considered later by its statisticians, under its own direction, the final decision upon important points to be made by itself.

"3. The decision that there shall be a depreciation account kept by those companies is one which it can not consider to be open to debate."

VIII. WORK OF DIVISION OF RAILROAD ENGINEERING AND INSPECTION.

Steam Railroad Inspection.—This Commission has continued the work of the Railroad Commission in connection with the inspection of steam railroads. Complete reports of inspections made subsequent to those contained in the report of the Board of Railroad Commissioners for 1906 will be published with this report. These reports cover the inspection of 47 railroads and 2,216 miles of line. The roads included are as follows:

Adirondack & St. Lawrence.
Boston & Maine.
Buffalo, Attica & Arcade.
Buffalo Creek.
Buffalo Creek Transfer.
Buffalo & Susquehanna.
Cranberry Lake.
Carthage & Copenhagen.
Catskill Mountain.
Catskill & Tannersville.
Champlain & St. Lawrence.
Dansville & Mt. Morris.
Delaware & Easton.
Erie.
Fonda, Johnstown & Gloversville.
Genesee & Wyoming.
Glenfield & Western.
Greenwich & Johnsonville.
Jamestown, Chautauqua & Lake Erie.
Kanona & Prattsburgh (two inspections).
Lake Champlain & Moriah.
Lake Shore & Michigan Southern.
Lehigh & Hudson River.
Lehigh & New England.
Lowville & Beaver River.
Middletown, Unionville & Water Gap.
Middleburgh & Schoharie.
Mount Beacon Incline (elevating, two inspections).
New England.
New York Central & Hudson River (Pennsylvania Division).
New York Central, Hudson River & Fort Orange.
New York, Chicago & St. Louis.
New York, New Haven & Hartford.
New York & Ottawa.
New York & Pennsylvania.
Niagara Junction.
Norwood & St. Lawrence.
Otis (elevating).
Pittsburg, Shawmut & Northern.
Port Chester Terminal.
Poughkeepsie & Eastern.
Rutland.
Schoharie Valley.
Tunesassa & Bradford.
Ulster & Delaware.
Unadilla Valley.
United States & Canada.

The principal features of inspection covered by these reports are as follows:

1. General description of line: length of main line; length of second and third and additional tracks; length of sidings and yard tracks.

2. General characteristics of road, as to the grades and curvatures; maximum grades and curves on main line and where located.

3. Inspection of cuts and embankments with reference to width and slopes; condition of retaining walls; drainage.

4. Tunnels: inspections in regard to safety.

5. The inspection of bridges, trestles, open culverts, cattle passes, arch and box culverts and drains.

6. Cross ties: kind and condition, dimensions, and number used per mile of track.

7. Rail: weight, condition, and connections; observation of spiking used.

8. Switches: kind and condition; condition of switch stands, and of switch and signal lamps, whether derailing switches are used on sidings to prevent cars fouling main track on descending grades.

9. Maintenance of track: gauging, alignment, surfacing, and elevation of outer rail on curves; kind and condition of ballast.

10. Grade crossings of one railroad by another, whether steam or electric; description of protection; signals and interlocking used.

11. Right of way: condition, whether proper attention has been given to the removal of trees, brush and weeds; maintenance of fences.

12. Grade crossings of highways: grading of approaches, planking between rails; kind and condition of crossing signs; maintenance of cattle guards; protection of crossings by flagmen, gates, or bells.

13. Mile and whistle post maintenance.

14. Overhead obstructions: bridges, tunnels, or otherwise endangering brakemen riding on top of car; condition of warning signals; observation regarding possibility of removing obstructions.

15. Track maintenance: length of sections; average force maintained in section gangs; system of track inspection by track walkers.

16. Interlocking plants: description and observation of maintenance.

17. Block system, signaling, and train control: methods used and suggestions regarding improvement.

18. Stations and buildings: whether sufficient for the service and properly furnished; observation of sanitary condition.

19. Freight yards and terminals: condition and adequacy.

As but one inspector was employed on this work by the Board of Railroad Commissioners, it was impossible to cover the railroad mileage in this State, even in the most general way, and make inspections more frequent than once in two years. The work of the steam railroad inspector has been supplemented by the institution of a bureau of equipment inspection, which is described separately herein.

The Commission considers it desirable that inspection of all steam railroad mileage in this State should be made once each year, and it proposes to add additional inspectors to handle this work accordingly. The magnitude of the work to be done may be seen from the following statement:

Within the jurisdiction of this Commission there are 213 lines of railroad operated wholly by steam locomotive power, 16 other railroads where electric cars also operate over a part or the whole line, and 2 elevating cable railroads. These railroads are owned

or controlled and operated by 61 separate corporations. The total length of all the lines is 8,275 miles; total of other main tracks, 3,345 miles; of sidings, yard, and other track, 5,080 miles; a grand total of 16,700 miles of track.

With the additional inspectors proposed it will be possible to make the inspection much more in detail than has been practicable in the past, and to make the inspection of stations, freight houses and other facilities thorough enough to give the Commission a reasonable knowledge of the adequacy of the accomodations afforded and the degree to which they are being maintained for the comfort and convenience of the public.

In addition to the regular work of steam railroad inspection, the inspector in this department has been called upon to make accident investigations and reports where questions in regard to maintenance of track or permanent structures are involved, and this branch of the work can be more efficiently performed by the additional inspectors contemplated.

Inspection of Electric Railroads.— It is the intention of this Commission to cause an inspection to be made of each electric railroad operated within the Second District at least once each year. During the six months in which this Commission has beer in office, the following railroads have been inspected:

Buffalo Southern Railway.
Lewiston & Youngstown Frontier.
Niagara Gorge.
Rochester, Charlotte & Manitou.
Rochester & Eastern Rapid.
Rochester & Sodus Bay.
Summerville Division, Sea Breeze Division (Rochester & Suburban Railway).
Rochester Electric.
Penn Yan, Keuka Lake & Branchport.
Hornellsville Electric.
Hornellsville & Canisteo.
Elmira & Seneca Lake.
Horseheads Division (Elmira Water, L. & Ry.).
Western New York & Pennsylvania.
Geneva, Waterloo, Seneca Falls & C. L.
Celeron Division (Chautauqua Ry.).
New Paltz, Highland & Poughkeepsie.
Oneonta & Mohawk Valley.
Oswego Traction Company.
Cortland County Traction Company.
Syracuse Rapid Transit.
Buffalo & Williamsville.
Syracuse & Suburban.
Syracuse, Lake Shore & Northern.
Orange County Traction.
Wallkill Transit Company.
Poughkeepsie City & Wappinger Falls.
Fishkill Electric.
Citizens Street Railway (Fishkill).
Port Jervis Electric Light, Power, Gas & R. R.
Auburn & Syracuse Electric.
Binghamton Railway.
Ithaca Street Railway.
Kingston Consolidated Railroad.
Black River Traction Company.
Ogdensburg Street Railway Company.

A summary of these inspection reports will be published with this report. The inspector's reports have in all cases been sent to the railroad corporation involved. In most cases the railroads have agreed to carry out the orders and recommendations of the inspector; in a few cases additional time has been allowed, sufficient reasons having been shown to justify a modification of the orders; in a few cases the inspection report is still under consideration, and hearings will be given to determine what action shall be taken.

The inspections include a detailed examination of track and roadbed, bridges and other permanent structures, power houses, car barns, and repair shops. They also include the methods of operation, protection of grade crossings by steam railroads, method of train dispatching used, block signals, train rules, running schedules, discipline, sufficiency of service, and maintenance of equipment. In general, primary consideration is given to safety of operation; next, to sufficiency of service; and finally, to all matters which affect the comfort and convenience of the public.

The inspections thus far made indicate that there has been a general improvement in track, roadbed, and equipment of the electric railroads in the Second District during the year. The railroads thus far inspected have shown a willingness to coöperate with the Commission in carrying out its orders and recommendations.

Rules for the Operation of Electric Railroads.— This Commission has coöperated with the Street Railroad Association in the preparation of a set of rules applicable to electric railroad operation which are intended for use on high-speed suburban and interurban railroads, and it is believed that the adoption of these rules will have an important influence in increasing the safety of operation.

Grade Crossings of Steam and Electric Railroads.— These crossings are a serious element of danger in the operation of both steam and electric railroads, and all such crossings have received careful consideration by this Commission and its inspectors. The record of accidents at these crossings, both in this State and elsewhere, shows the necessity of adopting all practicable safeguards. This Commission has ordered repairs to be made to a large number of defective crossings. In all cases where practicable, elec-

tric railroads have been required to put in derails on each side of a steam railroad crossing. These derails are normally open, and can only be closed by the conductor or by a special crossing tender, from a point where a full view of approaching trains on the steam railroad may be secured. The installation of trolley troughs has been ordered in a large number of instances, to prevent the danger of trolley wheels slipping from the wires at crossings and thereby allowing electric cars to stall on steam railroad tracks.

Highway Grade Crossings.—The increase in the weight of electric cars, and the speed at which they are operated on suburban and interurban railroads, have in recent years added greatly to the danger at highway crossings. Numerous orders have been issued providing for highway crossing signs at these points, and orders have been given to provide flagmen at specially dangerous crossings. While the volume of traffic on most of the electric roads in the Second District does not yet warrant the expenditure for protection against accidents that is required on steam railroads, there is no doubt that the accidents at these crossings have materially increased, and that greater consideration must be given in the future to the protection of the public.

Bridges, Trestles, and Structures.—The increase in the weight and speed of cars on suburban and interurban railroads has necessitated the replacement or strengthening of bridges and structures on a number of railroads, and special attention has been given to this subject. A number of orders requiring the strengthening of bridges have been issued, and a number of wooden bridges have been replaced by steel.

Guard Rails and Rail Braces.—Guard rails have been ordered placed on bridges and trestles, and at specially dangerous points. Curves of high-speed railroads have been ordered equipped with rail braces where it appeared necessary.

Power Brakes.—Considerable attention has been given by the Commission to the advisability of ordering an increase in equipment of electric cars, especially those in high-speed service, with some form of power brake. While a large number of electric cars within the jurisdiction of this Commission are now equipped with air brakes, and some with electric traction brakes, it seems probable that it will be necessary to order an increase of power brake

equipments on high-speed railroads, and upon city railroads operating cars upon heavy grades. It also appears probable that a rapid introduction of power brakes on city railroads of dense traffic will be warranted by the greater safety secured against street collision, and the ability which will thus be afforded for increasing the speed of city cars, and thereby increasing the capacity of the railroad without increasing the danger to ordinary street traffic. Special consideration will be given by the Commission and its inspectors to this subject.

The Operation of Trailer Cars.— It is frequently necessary to operate trains of one or more trailer cars drawn by a motor car, especially for traffic from summer resorts, parks, etc. Serious accidents have been caused by this method of operation through the trailer cars being insufficiently manned, or lacking in proper brake appliances. It is the intention of this Commission to require all trains operated in this manner to be equipped with a braking system so arranged that the motorman on the head car can operate the brakes on all the cars. Where it appears to be impracticable and unreasonable to require power brakes on trailer cars, it will be the policy of the Commission to require a brakeman to be placed on each trailer car.

Single-Truck Cars.— Single-truck cars, in some of the cities in the Second District, seating not to exceed twenty-four passengers, are used under conditions of traffic in which this type of car is not suitable. The result is that during the rush hours of morning and evening the cars are largely overloaded. This type of car does not meet the requirements of the fluctuation of travel satisfactorily on account of its limited seating capacity; and in view of the difficulty of equipping single-truck cars with power brakes, the danger of operation on heavy grades is greater than with double-truck cars. In its investigation of traffic conditions on city lines, the Commission will therefore consider the advisability of ordering the substitution of double-truck cars, equipped with power brakes, where the single-truck cars are shown to be insufficient to take care of the traffic.

Height of Car-Step. Considerable complaint has been made regarding the excessive height of car-step used on many of the city railroads. The coöperation of committees representing the

operating officers of electric railroads and the advice of builders of electric cars have been requested, with a view of enabling this Commission to decide on a uniform height of car-step, to be located at convenient height from the pavement.

Vestibules.— The subject of vestibules has received considerable attention. Most interurban cars operating in the Second District are equipped either with screen or full vestibules. In many cases the screen vestibule gives all the protection which is necessary, and the side openings facilitate the movement of passengers on city railroads of dense traffic. For long and unprotected stretches of interurban railroad, however, the screen vestibule affords insufficient protection, and consideration will be given to the advisability of ordering such vestibules changed so as to afford complete protection to motormen.

METHODS OF ELECTRIC TRACTION USED IN THE SECOND DISTRICT.

Overhead Trolley System.— This is in general use on the city and suburban railroads, and is in operation on 1,668 miles of road. The current used is direct, at a minimum voltage of 625.

There are no electric railroads in the jurisdiction of this Commission operated by the underground trolley system.

Third Rail System.— There are 135 miles of road within the Second District operated by the third rail, direct current system, with a maximum voltage of 625.

Two designs of third rail are used:

The "over-running shoe" third rail system is in use on the Albany and Hudson, a distance of 35 miles; and on the Keeseville, Ausable Chasm and Lake Champlain railroad, a distance of 5 miles. These roads are built mostly on private right of way. Cars and trains have been operated on these railroads for several years. Total mileage operated by "over-running shoe," 40.

The "under-running shoe" third rail system is in use on the West Shore railroad between Utica and Syracuse, a distance of 43 miles; and on the New York Central railroads in the electric zone, radiating from the Grand Central Station on the Hudson and Harlem divisions: it is in operation on the Harlem from Mott Haven Junction to Wakefield, a distance of 7¼ miles; and on the Hudson division from the Grand Central Station to Yonk-

ers, a distance of 7 miles; on the Long Island railroad: from Jamaica to east of Queens, 4.4 miles; Jamaica to Valley Stream, 6 miles; Woodhaven Junction to Rockaway Park, and Hammels to New York and Rockaway Beach Junction, 10 miles; Flatbush avenue to Jamaica, 9.6 miles; Cedarhurst to Valley Stream, Far Rockaway to New York and Rockaway Beach Junction, 5.3 miles; Cedarhurst to Far Rockaway, 2.3 miles; making a total on the Long Island railroad of 37.6 miles. Further extension to White Plains on the Harlem division, and to Croton on the Hudson division, will be made as soon as practicable. Total mileage by under-running system, 95.

The third rail in these installations is protected by vulcanized fiber and wood covering.

High Potential Alternating Current System.—This system uses the overhead trolley wire, with alternating current, 11,000 volts potential. Supports for the trolley are secured by catenary cables so arranged as to afford an ample factor of safety against breakage, and adequate devices for cutting off the current are provided in case of breakage of the trolley wire. The following railroads are operated by this system within the Second District:

New York, New Haven and Hartford, four tracks, between Woodlawn Junction and the New York state line, 14 miles. Trains are now being operated on this portion of line by electric locomotives.

The Erie railroad, Rochester division, between Rochester and Mount Morris, a distance of 36 miles, on which electric cars are being operated, the regular steam service being carried on in connection with the electric operation.

The Warren and Jamestown, between the state line and Jamestown, a distance of 10 miles, electric cars being used.

Total mileage operated by high potential alternating current, 60.

STATISTICS OF ELECTRIC RAILROADS IN THE SECOND DISTRICT.

Number of operating street corporations in the territory comprising the Second District	71
Road owned and operated by these companies	1,510 miles
Road leased or controlled	159 miles

Road originally chartered as steam railroad and now operated by electricity	48 miles
Road operated partly by electricity and partly by steam	95 miles

Street railroad companies which have been merged or leased during the year ending June 30, 1907:

Bennington & Hoosick Valley	16 miles
Buffalo, Dunkirk & Western	10 miles
Olean Street Railway Company	32 miles
Rome City	5.5 miles
Hamburg	11.2 miles
Lake Erie Electric Traction Company	11.6 miles
Lake Ontario & Riverside — Fulton & Oswego Falls portion	1 mile
Dunkirk & Fredonia R. R. Co	3.5 miles
Olean, Rock City & Bradford	16 miles
Total	106.8 miles

New street railroads put in operation during year ending June 30, 1907	50 miles

The following new railroad companies are continuing construction:

Auburn and Northern Electric, Auburn to Port Byron	8	miles
Buffalo & Lackawanna Traction	....	miles
Buffalo, Lockport & Rochester Ry. Co	2	miles
Danbury & Harlem Traction Company	6.5	miles
Dunkirk Street Railway	4.2	miles
Elmira, Corning & Waverly Railway	10.5	miles
Liberty & Jeffersonville Electric R. R	2	miles
New York & North Shore Traction Co	6.5	miles
Putnam & Westchester Traction Co.	4	miles
Rhinebeck & Rhinecliff Street R. R	150	feet
Rockland Railroad Company	1,000	feet
South Shore Traction Company (work begun).		
Suffolk Traction Company (construction begun).		
Syracuse & South Bay Electric R. R	10	miles
Watertown & Carthage Traction Company	100	feet

Inspection of Locomotive Boilers.—A state inspector of locomotive boilers was appointed in July, 1906. The duty of this inspector is to investigate all serious accidents to locomotive boilers, and to supervise the inspection made by the railroad companies with a view of securing uniform and proper maintenance.

An amendment to the Railroad Law, chapter 208, laws of 1907, took effect September 1, 1907, which directed the Board of Railroad Commissioners, and the Public Service Commission as its successor, to enforce the administration of this law.

The following are the principal provisions of the law: Railroad corporations are required to cause thorough inspections to be made of all boilers by persons duly qualified to pass upon the design and maintenance. Boilers must be of good workmanship and material, and must be equipped with proper appliances for safe operation. Boilers are required to be washed out every thirty days. Certificates must be filed in the office of the Public Service Commission at least once in three months, covering each boiler in the State. This Commission is required to formulate rules and regulations for the inspection and testing of boilers, and has authority to order the removal of incompetent inspectors.

Regulations for inspecting, testing, and washing locomotive boilers were issued by this Commission August 20, 1907, to conform to the foregoing provisions of the statute. These regulations were adopted after a conference with representatives of the principal steam railroads, and were carefully considered with a view to incorporating the best railroad practice.

There are about 366 locomotive boiler inspectors employed by the railroads in this State. These men, while generally competent to pass upon the maintenance and workmanship of locomotive boilers, are not qualified to give an expert opinion regarding questions of design. The regulations, therefore, contemplate two forms of report: First, a specification card giving a description of the design of boiler, the principal dimensions, and calculations of the strains to which the parts are subjected. This specification card must be certified by the mechanical engineer of the railroad, or by an expert qualified to pass upon questions of design and strength of details; the principal mechanical officer of each railroad is also required to certify each specification card. Second, a certificate of inspection for each locomotive boiler, covering all items of routine inspection and maintenance, is required once in three months. Each inspection certificate is signed and sworn to by the boiler inspector of the railroad company. One copy is posted in the locomotive cab, and one copy is filed with this Com-

mission. Definite responsibility is thus located: First, regarding all points of design, original construction, and strength of materials, upon an officer or representative of the railroad who is supposed to be thoroughly qualified to pass upon these subjects; second, responsibility for proper maintenance, workmanship, washing out, the condition of safety valves, etc., upon men who are selected with a special view to their competency for this work.

The filing of certificates covering both design and maintenance, in the Commission's office, assists the boiler inspector of this Commission in locating the responsibility definitely in case of any accident occurring to a locomotive boiler in this State, and the comparison of different railroads thus secured is found to be of great value in promoting a uniform and high grade of inspection and maintenance by the railroads. It is but fair to say that the Commission has found it unnecessary to make any suggestions to some of the railroads in regard to the care of locomotive boilers, as the rules and methods of inspection now carried out on these railroads are more exacting than the Commission feels warranted in enforcing upon all railroads. A great many cases of careless inspection have, however, been found in other localities, and many boilers have been reported for which sufficient information was lacking in reference to design, strength, or original construction. In all such cases a rigid examination and calculation of strength will be insisted upon. The state inspector has found it necessary to take many boilers out of service under the operation of the new regulations, and many more have been taken from service by the railroads themselves, and repaired, before submitting them to the inspection required by the state regulations.

As there are about 6,000 locomotives operated in this State, the operation of the law covered by chapter 208 requires the filing of 6,000 certificates of inspection every three months, or 24,000 per year. Railroads are required to report, or to insist upon proper reports being made, regarding the locomotives operated by business plants or contractors where the locomotives are liable to be operated on the railroad company's tracks.

Accidents to Boilers.—All serious accidents to boilers are required to be reported promptly by telegraph, and all such accidents have been investigated with a view to the issuance of orders

to prevent a repetition. Seventeen such accidents, resulting in the death of 6 persons and the serious injury to 31, have been investigated during the year. Of these 17 accidents, only 3 can be properly classified as boiler explosions, the others being due to low water, blowing out of plugs, flues pulling out, etc. The ratio of serious accidents is as 1 to 353, and the lives lost in boiler accidents are as 1 to 1000, compared with the number of boilers in use.

It is believed that the systematic care of boilers, enforced under the regulations of the Commission, will have a decided effect in reducing the number of failures of locomotives, and will thus have an important incidental effect in diminishing the number of train delays.

Attention has been given by the inspectors of this Commission to the requirements of the law: that all steam valves, cocks, and joints, studs, bolts and seams be kept in such repair that they will not at any time emit steam in front of the engineer so as to obscure his vision; and increased consideration will be given to his requirements of the law in the future.

Inspection of Equipment.—Shortly after this Commission took office, it became apparent that the inspection of steam railroad equipment, and especially the inspection of locomotives, should form an important part of the Commission's work.

The reports of train delays received, the observation of the Commissioners themselves, and of the experts employed by the Commission, indicated that a large percentage of delays in both passenger and freight service is caused by lack of proper maintenance and inspection of locomotives, by improper handling, or by insufficient capacity of locomotives for the work required of them. It therefore appeared evident that a systematic inspection of locomotives and other steam railroad rolling stock would provide information from which the Commission would be able to indicate to the railroad companies under its supervision where improvement in the maintenance and operation of equipment is necessary.

A bureau of inspection of railroad equipment was therefore instituted November 1, 1907, and Mr. A. Buchanan, jr., was employed as supervisor of equipment. Mr. Buchanan's experi-

ence as superintendent of motive power and master mechanic renders him in the opinion of the Commission well qualified to handle this work with advantage to the State.

The inspection of locomotives, the analysis of locomotive failure reports, and the investigation of accidents involving failures of equipment, have occupied practically the entire attention of this department of the Commission's work, and will continue to absorb the greater part of its attention in the future.

The records of locomotive failures which are kept by the principal railroads give a fairly accurate basis for determining whether the maintenance, inspection, and methods of operation of locomotives are receiving proper attention. It was, therefore, thought advisable to require the railroads to furnish copies of their locomotive failure reports, with a statement of train detention resulting therefrom. A circular has been issued, accordingly, to all the steam railroads in the State, requiring them to file each month with the Commission copies of their standard engine failure reports, commencing with September; and each railroad company has been asked to define what constitutes an engine failure under its present system of reporting.

The analysis of the reports received under this order shows that there are wide variations in the methods of determining what constitutes an engine failure, and the need was thereby indicated for a standard form of report which would give a basis for comparing one railroad with another. A preliminary conference with the principal mechanical officers of the larger railroads has been held in Albany, and the general form of a standard engine failure report, which incorporates the best practice of the roads represented, has been decided upon. The following definition of an engine failure was suggested for adoption:

"Any failure of machinery or boiler, poor fuel, poor water, or inefficient enginemen, that delays a passenger train five minutes, or a freight train twenty minutes, at an initial terminal, or in arriving at a meeting point, a junction point, or a terminal."

Failures will be reported upon the standard form under various headings, which include about fifty of the common causes of train detentions, due to broken parts, poor coal, bad firing, etc. The form will state the time of train detention, the mileage per

engine failure, the mileage per minute of detention; and will also provide for proper comparisons with previous periods.

Reports upon the standard form will be required of all the railroads in the State, commencing with the month of January, 1908, and the locomotive failures for each month will be compared as far as possible with the corresponding month of last year.

The Commission will thus be enabled to form a reasonably accurate idea of the attention which is being given to the maintenance and operation of locomotive equipment by the various railroads under its supervision. It will also be possible from these reports to make a reasonable comparison of the locomotive maintenance and management of one railroad compared with another, and to determine to what railroads the Commission's inspectors should give most of their attention.

In order to enable its inspectors to become acquainted with the locomotive equipment of this State, the Commission has asked the railroads to file their equipment books, giving the general dimensions and important information relative to the locomotives owned by them. This information is now practically complete, and gives the data necessary to check defective train service which may occur on account of insufficient locomotive power.

It is the intention of the Commission to require its inspectors to make an annual inspection of each railroad in the State, with a view to reporting upon the locomotive operation and maintenance, and as far as practicable upon the maintenance of other equipment. An inspection of the equipment of the Erie railroad has been ordered, which will be followed by an inspection of the New York Central and other railroads.

As far as the Commission is aware, this is the first effort which has been made in this country in the direction of a systematic attempt by state authorities to make comparisons between railroads, from one period to another, regarding the efficiency of locomotive operation. It is believed that the system of inspection and of engine failure reports thus instituted will result in a decided improvement of locomotive maintenance and inspection by some of the railroads in this State, with a resulting

improvement in train service and in safety of operation. Thus far the Commission has received the cordial coöperation of the motive power and railroad operating officers in this branch of its work, and the Commission has no doubt that it will continue to receive equal coöperation in the future.

Inspection of passenger equipment cars will be made as conditions appear to require. Such inspection of freight equipment cars as appears to be practicable and necessary will be made, especially with the object of coöperating with the Interstate Commerce Commission in the enforcement of safety appliance laws.

The work of the equipment bureau will include the inspection of accidents in which defects of equipment appear to be the cause of the accident.

Accident investigations have been made by this bureau, as follows:

November 5; wreck at Nehasane, on Adirondack division of N. Y. C. & H. R. R. R., November 1, 1907.

November 13; wreck at Port Washington yard of Long Island R. R. Co., November 3, 1907.

November 20; wreck on Western division of N. Y. C. & H. R. R. R., at Gainesville, November 5, 1907.

November 21; wreck on Rochester division of N. Y. C. & H. R. R. R., at Canandaigua, November 13, 1907.

November 22; wreck on L. S. & M. S. Railway, at Fairhaven, November 4, 1907.

November 26 and 27; wreck on R., W. & O. division of N. Y. C. & H. R. R. R., at Alder station, November 21, 1907.

December 3; wreck at Wedgewood, on Pennsylvania division of N. Y. C. & H. R. R. R., November 27, 1907.

December 4; wreck at Addison, on Susquehanna division of Erie R. R., November 27, 1907.

December 5; wreck at East Salamanca, on B., R. & P. Ry.

December 6; wreck on Elk street crossing of N. Y. C. & H. R. R. R. and International Railway, Buffalo, November 18, 1907.

December 16; wreck at East Salamanaca, on B., R. & P. Ry., October 16 1907.

December 17; accident at Batavia, on Western division of N. Y. C. & H. R. R. R., November 25, 1907.

In addition, special reports have been made, as follows:

On power conditions on Long Island R. R.

Equipment conditions of N. Y., O. & W., and N. Y. C. & H. R. R. R., at Weehawken terminal.

Engine failure: fuel and train conditions, on R., W. & O. division of N. Y. C. & H. R. R. R.

Station, power, and terminal conditions on Erie R. R. at Elmira and Hornell.

The work of the bureau of equipment in connection with accident investigation has already shown the need of careful consideration of the action of the air brakes on long trains. Several accidents have occurred in which defective action of the air brakes appears to be the direct cause. Although the investigation in this direction is incomplete, it already appears that the air brake now in general use is not as satisfactory as an instrument for stopping trains of eighty cars as it is for stopping trains of fifty cars. An emergency application of the brakes, either by the engineer for the purpose of avoiding collision, or by a burst air hose, is liable to cause the wreck of one or more cars in long trains. Investigation of this subject will be continued, and a conference with the leading air brake manufacturers and air brake experts has been arranged, to assist the Commission in deciding what improvements can be made in the direction of securing increased efficiency of operation of the air brake on long trains.

IX. WORK OF THE DIVISION OF TRAFFIC.

This division was organized on the 1st day of August, 1907, by the appointment of Frank Barry as chief, as hereinbefore stated. The work of the division has been (a) in aid of the efforts of the Commission to improve the adequacy and efficiency of service, by personal conferences of the chief of the division with shippers throughout the State; (b) in efforts to improve the distribution of cars in the city of Buffalo, by personal attention given thereto by the chief of the division; (c) in the adjustment by correspondence of complaints received from shippers and consignees; (d) in the collection and compilation of information indispensable to the broader operations of the Commission.

A résumé of the work is as follows:

1. **Personal Investigation by Chief of Division.**—The chief of the division, for the purpose of acquiring accurate information regarding the freight situation throughout the State, and the wishes and desires of shippers and consignees, has visited the cities of Buffalo, Lockport, Rochester, Oswego, Watertown, Syracuse, Utica, Ilion, Herkimer, Elmira, Binghamton, Kingston,

Poughkeepsie, Newburgh, and New York. In all of these places, except the last, thorough investigation was made in the matter of car service and general transportation conditions. In most of the places, well attended meetings were held under the auspices of the local business organizations, and the principal shippers and receivers of freight gave their experiences and set forth any grievances which they had. From each of these places formal requests have been filed with the Commission for a public hearing, to disclose and make of record the conditions complained of. The results of these investigations by the chief of the division have been reported to the Commission, and measures have been taken by representatives to the railroad corporations to correct improper conditions, so far as practicable.

2. **To Improve Car Distribution in Buffalo.**— The hearings had by the Commission in the city of Buffalo, and the preliminary investigations there made, developed a condition regarding car distribution which seemed to require the formal application of effective remedies. The chief of the division, therefore, spent thirty-three days in all, in that city, in a successful effort to establish a uniform system of car distribution with the five principal east-bound carriers, together with a complete and accurate record of such distribution which will enable the Commission in the future to determine whether the traffic in this State is receiving a fair apportionment of cars available for use at Buffalo. For many years the traffic of this State has been very seriously delayed at times when the heavy grain movement in the west commenced, and it has been so impeded each year for about sixty days, during which time an undue proportion of the available cars at Buffalo have been turned over to the elevators for loading with export and through grain. We are assured that the action taken in this matter by the Commission has resulted in very important benefits to the local freight business of Buffalo.

3. **Correspondence Complaints.**— The various circulars sent out by this Commission respecting the freight traffic, and the public hearings given by the Commission, have brought forth a large number of complaints of defective service in individual cases. These complaints have received attention in this division,

and a large number of matters have been adjusted by correspondence.

4. **Collection and Compilation of Information.**— This Commission, on the 18th day of July, issued its Circular No. 2, giving notice of public hearings for the investigation of car service and demurrage charges. In response to this circular a large number of communications have been received from shippers and consignees throughout the State, extended correspondence has been had with reference thereto, and the information deduced from such complaints has been compiled for the use of the Commission.

On the 26th day of July, 1907, the Commission issued its Circular No. 3, addressed to railroad commissions of other states, requesting notice of all rules and regulations prescribed by such commissions governing or relating to demurrage on cars, furnishing cars to shippers, the delivery of loaded cars to consignees, the time involved in transportation, and also including all specific regulations which have been applied to car distribution or demurrage for particular descriptions of traffic. In response to this circular, supplemented by persistent correspondence, there have been received and filed the car service rules and regulations in all states where such rules exist. These rules have been collated in tabular form for convenient reference. The division has also collated the car service rules and regulations that are in force at all points within the State of New York within the jurisdiction of this Commission, namely: those of the Western New York Car Service Association, the Central New York Car Service Association, the New York and New Jersey Car Service Association, and the New England Car Service Association.

On the 15th day of August, 1907, this Commission sent out to all railroad corporations and street railroad corporations its Circular No. 8, requiring answers to a large number of questions regarding the operation of car service rules and regulations and the manner of administering the same throughout the State. Insistent demand has secured answers from the carriers addressed, and reports giving the full information desired have been received and carefully reviewed by the division.

On the 1st day of November, 1907, this Commission sent out its Circular No. 23, requiring all steam railroads to report daily to this Commission, from and after November 18th, any case in which they have been unable to place a car for loading within four days after the time for which it was ordered; or if no time were designated in the order for the same, within four days after the receipt of the order. These reports as received have been investigated and classified, and where persistent delay in furnishing cars has been found, investigation as to the cause has been instituted and an effort made to remedy the defective service.

On the 1st day of November, 1907, this Commission issued its Circular No. 24, requiring all steam railroads which refuse to accept freight destined for a point within the State by a route wholly within the State, by an order known as an embargo, to at once transmit to this Commission a copy of the order directing such refusal or embargo, with a statement of the reasons relied upon for justification; also to report the cancellation or revocation of all such embargoes. About two hundred and fifty such embargoes have been reported, pursuant to the requirements of this circular, many of which, however, are duplicates, being the extension of an embargo from a railroad to one or more of its connecting lines. A record of these embargoes has been kept, and in proper cases investigations made.

On the 16th day of August, 1907, this Commission issued its Circular No. 6, requiring every common carrier under its jurisdiction to file with it sworn copies of all contracts, agreements, or arrangements to which it is a party, relating in any way to the carriage or transportation of freight, express matter, or passengers, or either, or to the handling, use, or transportation of cars or locomotives. The purposes of this circular were to place the Commission in possession of information as to the manner in which common carriers were transacting business as between themselves, and to prepare data for further investigation upon important points which will rapidly suggest themselves. The enforcement of this requirement, and the filing and recording of the resultant reports, were assigned to this division, and have entailed a large amount of correspondence and clerical work. About six hundred and fifty contracts have been filed.

On the 1st day of November, 1907, this Commission issued its Circular No. 22, inviting railroad corporations under the jurisdiction of this Commission to report by December 1, 1907, all permanent additions and betterments made to their tracks, bridges, buildings and terminals, increased equipment and cost of the same, which have been completed during the year ending June 30, 1907, and of such improvements in progress or not completed at the time of the report. The responses to this circular have been carefully collated and tabulated by this division, and the results appear elsewhere in this report.

The energies of this division will be devoted to the betterment of the freight and passenger service throughout the State in such manner as from time to time seems best adapted to produce the desired results. The work of collecting data and information, to enable the Commission to judge of the causes of inefficient service and of inadequate car supply, will be carried on with all possible vigor.

X. TARIFFS AND WORK OF THE DIVISION OF TARIFFS.

Schedules of Transportation Rates and Regulations.— Prior to July 1st, last, the Railroad Law of this State contained no requirements for publicity in transportation charges and regulations, nor for the observance of the established tariff schedules by carriers or the public. The Federal law for the regulation of railroad transportation had long compelled publicity of rates on interstate traffic, and forbidden departure from such rates while in force; but our state traffic, carried on the same trains, was subject to no such regulation: rates on such commerce could be and were applied and changed by the carriers solely upon considerations of railroad policy or effective demands by particular shipping interests, and the rate exacted or granted today could be changed tomorrow, or another and perhaps lower charge made for a competitor upon some special representation. This transportation situation, rendering discriminations of every kind always possible, rarely acknowledged and extremely difficult to discover, is today entirely changed under the operation of the Public Service Commissions Law. The rate for any kind of service by a railroad must be shown in a tariff or schedule posted at the

station and filed with this Commission. No transportation service can be rendered unless a tariff covering that service is so posted and filed; the tariff rate must in all instances be applied; and no rate or regulation affecting rates can be changed without giving at least thirty days' previous notice thereof to the public and this Commission, unless the Commission shall upon special application allow a particular rate to be changed on less notice. Such constant publicity of rate schedules, and common adherence thereto by carriers and those whom they serve, are recognized as requirements of law indispensable to enforcement of the right of every citizen to participate equally in the privileges of public transportation service; and it is plainly of first importance that the publicity so enjoined by the statute shall not be rendered valueless through the use of rate schedules arranged in complex form or naming rates and rules in ambiguous language. That this may be avoided as far as practicable, the statute provides that the form of every tariff schedule shall be prescribed by the Commission; and with a view also to uniformity in state and federal tariff rules, it is further required that the regulations as to tariff construction prescribed by this Commission shall conform as nearly as may be to those fixed by the Federal commission.

Tariff Regulations and Rulings.— The Commission, by formal order of July 24, 1907, promulgated "Regulations Prescribing the Form and Governing the Construction and Filing of Freight Tariffs and Classifications and Passenger Fare Schedules of Railroad Corporations." These regulations, so far as they relate directly to the form of tariffs, are similar to those prepared by the Interstate Commerce Commission. Some general regulations and rulings relating to rate changes were also prescribed by the Commission. All of these rules and regulations will be found in the appendix to this report.

The general regulations governing rate changes should, however, receive separate mention in this place. Special round-trip excursions are frequently requested on short notice to the railroads themselves, and it seemed necessary to provide by general order for short time notice of the changes in rates covered by such excursions. We ruled that a three-day excursion rate could be established on one day's public notice, and that for an excur-

sion exceeding three days and not more than thirty days the rate could be established on three days' previous public notice. As to excursions for a period longer than thirty days, the regular statutory notice of thirty days must be given, unless in a special case a shorter time for public notice shall be allowed by the Commission. We also provided in the rules for the reduction on one day's notice of a joint rate when such joint rate is higher than the sum of the local rates of the carriers over whose railroads the joint rate applies, for the obvious reason that ordinarily a joint rate should not exceed the sum of the local charges on the several railroads. The like reduction of a joint rate on one day's notice was allowed, where the joint rate over one route is higher than the sum of locals by another route between the same points. This enables carriers to make the joint rate by their lines not higher than the combined charges of competing carriers, and while hardly necessary in this State, the same rule having been fixed for interstate traffic, it was deemed wise to preserve to shippers the choice of competing routes on like terms as far as that might be done by such a rule. It was also ordered by the Commission that, on new railroads or extensions, and for new stations of old railroads, rates might be established in the first instance on ten days' previous notice to the public and the Commission. Other tariff rulings of the Commission relate generally to changes in rates, and do not call for special mention in the text of this report.

On August 14, 1907, the Commission issued its Circular No. 7 to street railroad corporations, inclosing a copy of the tariff regulations above mentioned, and explaining carefully their application to street railroad traffic.

Regulations prescribing the form and governing the construction and filing of tariffs and classifications of express companies, with some general regulations appended, were issued by the Commission October 3, 1907. The Federal Commission not having prescribed the form of tariffs for express companies, this Commission was compelled to adopt its own form, and in the several conferences held with representatives of the express companies it became clear that simple forms for tariffs could be prescribed for the operation of express companies in this State which probably would not be forms adapted to general use by such carriers

throughout the country. The tariff forms allowed for express companies under our order are easy of comprehension, and when all details are finally worked out they will doubtless constitute satisfactory schedules for that class of carriers. The tariff regulations prescribed for the express companies will also be found in the appendix.

Filing of Tariffs with the Commission.—At the close of business December 31st, there had been filed with the Commission since the 1st day of July, 27,094 freight and passenger tariffs, of which number 24,000 (20,000 freight and 4,000 passenger) were filed by steam railroad corporations. The remainder were received from electric railroad corporations, express companies, and the Pullman company covering sleeping and parlor car charges.

Under a clause in the law forbidding any carrier on and after November 1st, to transport traffic without having first filed a tariff showing rates applicable thereto, and requiring observance of tariff charges as to all traffic, the time between July 1st and November 1st was considered as allowed by the statute for the preparation, publication, and filing of tariffs or schedules showing the rates, fares, and charges of the various carriers. It was necessary, however, to prevent the coming in of this great mass of tariff schedules on or about the same day, November 1st, and having that in view, the tariff rules issued by the Commission contained a provision that all tariffs filed on or before September 30th would, with the addition of the necessary consecutive commission tariff file number of the carrier, be received in their existing form. This enabled the Commission to file a large number of schedules from day to day during the period mentioned, and operated to relieve the tariff force of much of the burden which would otherwise fall upon it during the closing days of October. This rule also exempted the railroad corporations from the very serious cost of reprinting at once of all state tariffs to make them conform technically to each of the various rules, but the right was reserved by the Commission to order the reprinting of a tariff at any time.

The Tariff Division.— This division is in charge of a chief who has had long experience in the details of tariff construction and the application of rates, a competent assistant, a stenographer, and a messenger who also assists in the work of filing schedules.

Much time has necessarily been devoted by the chief of the tariff division and by a member of the Commission to the examination of tariffs and correction as to form and arrangement of contents to make them comply with our rules, and this work will later on take in the reprinting of schedules which, while not in the required form, were for reasons above stated accepted for filing before September 30th. There have also been frequent conferences held with the freight and passenger officials of both steam and electric railroads; and as to the latter, these were especially necessary, because the publication of and filing of rates in accordance with statutory requirements was an entirely new feature in their operations.

The Commission has granted 189 applications of carriers for permission to change tariff rates upon less than the statutory thirty days' notice. In each instance, the application has been granted upon showing that the change would be for the public interest. No such application which involved an advance in rates, or which had for its object an advantage to the applying carrier over a competing carrier, has been approved. When the rate transition period has passed, and the rate adjustments contained in published tariffs throughout the State have become more fairly adjusted, the number of orders allowing changes in rates on short notice should and will be greatly restricted: because of the necessity for stability in rates, and for the further reason that with an approximately fair rate adjustment throughout the State such short time rate changes will become largely unnecessary.

The Commission proposes to make its tariff division a medium of rendering substantial service to the public. Primarily, the tariff schedules are filed for the information of the Commission, not only as containing immediate notice of rate changes, but as furnishing in the aggregate a complete record of the rates and regulations of all carriers from the time the act became effective to any future date; and such a record will be indispensable to the proper investigation and determination by the Commission of cases relating to the reasonableness and justice of rates and transportation regulations. This, however, is only part of the proper functions of this division. While the tariffs are posted at stations and may be inspected by any person, the tariffs so

posted are commonly those which apply from that station; and even if all tariffs were to be filed at each station, the average person would be unable, within any reasonable time at least, to prepare accurate memoranda of the required information. It seems appropriate, therefore, that the Commission should properly furnish, on request of shippers or passengers, such statement of rates and regulations in force as within the limits of reason may be required by any shipper or passenger. The thorough system of indexing adopted in the tariff division will enable the Commission to furnish such information upon request without unnecessary delay.

It is also the intention of the Commission, as soon as practicable, to begin the publication, through the press or otherwise, of bulletins showing changes in transportation rates on important staple commodities between points in this State, and to supplement this with such special information concerning rates generally on particular articles moving in large volume as it may be practicable to supply.

The Commission hopes by this course to render the work of its tariff bureau of positive and continuous benefit to all shippers. The importance of this service to shippers, including the furnishing on request of statements showing rates legally in force on particular shipments, will best be appreciated by shippers who have heretofore, upon verbal information from railroad agents or otherwise, assumed that rates not actually in force would apply on certain shipments. The loss resulting from bargains based on other than established transportation charges must be borne by the shipper. This is a situation which should not occur, and which will not occur, if shippers when in doubt as to a particular rate between given points will apply to this Commission for the desired information.

Simplification of Rate Schedules.—The science of tariff construction, it must be confessed, is not very far advanced. Rate schedules applying throughout the country generally have, as to form, been somewhat improved as the result of rules governing the form and arrangement prescribed first by the Interstate Commerce Commission late in 1906 and during the present year, and supplemented as to this State by rules adopted and put in force

by this Commission. These rules, however, have been as yet only general in character, and under them the carriers are still at liberty to use, and many do use, methods of expression and tabulation, and numerous as well as confusing notations, which detract greatly from the value of these schedules as public documents. It is the purpose of this Commission during the coming year to use every effort to secure uniformity of statement and simplicity in arrangement for the tariffs of all carriers under its supervision; and connected with this work is the desirable object of reducing the number of tariffs on a given line which a shipper must consult.

The Law as Applied to the Construction, Filing and Posting of Tariffs.— Attention is called to the requirement of section 28 of the statute, that "The form of every such schedule shall be prescribed by the Commission and shall conform as nearly as possible to the form of schedule required by the Interstate Commerce Commission." It is suggested that the direction to this Commission, that the form of tariff prescribed by us shall conform *as nearly as possible* to the form required by the Interstate Commerce Commission, wholly disregards the important fact that conditions in a single state differ widely from those which apply generally in transportation throughout the country. In the work of securing simplification of tariff schedules and uniformity of arrangement and practices involved in tariff construction, rules as to form and arrangement may very properly differ in a substantial degree as to traffic wholly within a state from those applying on all interstate transportation. An illustration is the difference above noted in the form of express company tariffs for this State and that which may be properly adopted for the country at large. Moreover, the simplification of tariff schedules is so important to the shippers of this State that work in that respect should not be deferred to await the necessarily slower action of the Federal commission, which must take into consideration the conditions in all sections of the country. On the other hand, there should be fairly substantial accord as to general principles between the tariff rules in this State and those of the Federal commission. It is believed that for the words "as nearly as possible" in the clause above quoted, the words "to such extent as

may be deemed practicable or required" should be substituted, making the clause read: "The form of every such schedule shall be prescribed by the Commission, and shall conform to such extent as may be deemed practicable or required, to the form of schedule required by the Interstate Commerce Commission."

Section 28 of the statute requires that the schedules of carriers "shall be kept *posted* in two public and conspicuous places in every depot, station and office of every common carrier where passengers or property are received for transportation, in such manner as to be readily accessible to and conveniently inspected by the public." While such posting has been required by the Federal law for many years, it is a fact that for a long period no carrier has undertaken to comply literally with that requirement, for the reason that schedules so posted can not be kept intact, and are certain to become mutilated, destroyed, or removed by malicious or thoughtless persons. It seems clear that if the right to inspect tariffs kept in the custody of the agent is conferred by law, the liability of the shipper and of the carrier is as fully preserved as if the tariffs are posted upon station walls. The carriers should not be required by the statute to perform an impossible act. The law in this respect should be changed so as to require that two copies of the schedules shall be kept in the custody of the agent, freight agent or ticket agent as the case may be, for the use of the public, and shall be immediately produced for inspection upon the demand of any person. The law should also require that a notice to this effect shall be kept conspicuously posted in freight and passenger stations of the carriers. The Interstate Commerce Commission, in the exercise of authority specially conferred in the Federal statute, has, by order, modified the requirement for actual posting, and directed that the tariffs shall be kept for use of the public in the custody of the agent or other representative of the carrier at each station, and that the carrier shall also keep posted in two conspicuous places in each station a notice to the effect that a complete public file of the company's tariffs is located at (blank), in the city of (blank), and that the rate schedules applying from or at this station, and an index of the company's tariffs, are on file in its office and may be inspected by any person upon application and without the

assignment of any reason for such desire. The notice must also state that the agent or other employee on duty in the office will lend any assistance desired in securing information from or interpreting such schedules. The Public Service Commissions Law does not confer authority upon this Commission to modify any of its provisions.

XI. WORK OF DIVISION OF LIGHT, HEAT, AND POWER.

Persons, corporations, and municipalities engaged in this State in furnishing gas or electricity for public and private use were first made the general subject of state control or regulation in 1905. Prior to that year and at various times laws were placed upon the statute books relating to the affairs of lighting companies, but such laws chiefly affected companies operating in cities of the first class, and were limited in their scope to fixing rates charged for service rendered and to prescribing conditions surrounding the conduct of particular phases of the business.

In 1890, pursuant to the provisions of sections 62 to 65 of the Transportation Corporations Law, being chapter 566 of the laws of that year, a state inspector of gas meters was appointed by the Governor, and since that year the State, through the department thus created, has passed upon the accuracy of gas meters furnished for use.

The first broad step, however, in the extension of the State's policy of control of public service corporations to other than steam railroads, was taken two years ago, when chapter 737 of the laws of 1905 created the Commission of Gas and Electricity, to which was given power respecting the regulation of rates, the limitation of capital stock and bonded indebtedness, the requirements of service, and the general supervision of the business of all persons, corporations, and municipalities engaged in supplying gas and electricity.

Chapter 737 of the laws of 1905, and sections 62 to 64 of chapter 566 of the laws of 1890, were repealed by the Public Service Commissions act, and in amended form were reënacted in Article IV thereof.

This article is defined in its scope as applying "to the manufacture and furnishing of gas for light, heat or power, and the

furnishing of natural gas for light, heat or power, and the generation, furnishing and transmission of electricity for light, heat or power." (Article IV, section 65.) The general provisions of the article give to the Commission "general supervision of all persons and corporations having authority under any general or special law, or under any charter or franchise, to lay down, erect or maintain wires, pipes, conduits, ducts or other fixtures in. over or under the streets, highways and public places of any municipality, for the purpose of furnishing or distributing gas or of furnishing or transmitting electricity for light, heat or power, or maintaining underground conduits or ducts for electrical conductors."

Within the supervision of this division, as defined by the statute, are, as of January 1, 1908, 440 persons, corporations, and municipalities, representing a business investment of approximately $500,000,000. The service furnished may be classified as follows:

Service.		Companies.	Individuals.	Municipal.	Total.
Electric		171	46	43	260
Gas and Electric:					
Mixed gas and electric	2				
Coal gas and electric	19				
Water gas and electric	27				
Natural gas and electric	2				
		50	.....	.....	50
Coal gas		19	1	.....	20
Water gas		9	1	.....	10
Coal and water gas		6	.....	.....	6
Coal and natural gas		1	.....	.....	1
Natural gas		42	3	.....	45
Oil gas		1	.....	.....	1
Acetylene gas		18	10	2	30
Gasoline gas		14	2	1	17

Besides the general supervision of the foregoing corporations and business organizations, Article IV of the Public Service Commissions Law gives the Public Service Commission certain definite powers and duties relative to them, among the most important of which are:

1. Permission and approval to gas and electrical corporations to do business and exercise their franchises.
2. Approval of stock and bond issues of such corporations.
3. Consents to the transfer of franchises and passing upon proposed consolidation of such corporations.

4. Investigating complaints as to the price of gas and electricity and fixing maximum prices to be charged therefor.

5. Investigating and determining quality of gas and electric current and fixing the standards thereof.

6. Inspection of gas and electric meters.

Inspection of Gas.—A systematic examination of gas, for the purpose of determining its purity and illuminating power and the pressure at which it is delivered, as begun generally throughout the State by the former Commission of Gas and Electricity, has been continued. The organization effected by that Commission for the conduct of this work, including a laboratory equipped with a standard stationary photometer, gas analysis outfit, and other appurtenances, was transferred to this Commission when it took office. The division of the State geographically into three districts was continued, with certain revisions, and a third assistant inspector appointed to enable proper distribution of the work. The number of tests made, however, has been limited, owing to the necessity of requiring these men to devote a large measure of their time to gas-meter inspection, pending the complete organization of that department.

The Public Service Commissions Law provides that "for the purpose of determining whether the gas sold by such persons, corporations or municipalities for lighting, heating or power purposes conforms to the standard of illuminating power and purity" the Commission shall have power to "examine and investigate the methods employed in manufacturing, delivering and supplying the gas so sold." (Paragraph 3, section 66.)

Chapter 557 of the laws of 1907, fixing the standards of purity, illuminating power, and pressure of gas in cities of the second class, provides that the maximum illuminating power required, and the minimum illuminating power permitted, of gas supplied in any of such cities shall be sixteen candles for coal gas, eighteen candles for mixed coal and water gas, and twenty candles for a carburetted water gas; that the minimum pressure of gas shall be sufficient to balance a column of water one and a-half inches in height, and the maximum pressure sufficient to balance a column of water three and three-quarters inches in height, plus an allowance at the rate of one inch variation of

each one hundred feet of increase in altitude in the distributing system between the holder and the point of consumption; and that gas furnished in such cities shall be free from sulphuretted hydrogen.

Chapter 457 of the laws of 1907, being an act in relation to gas and electricity in the city of Syracuse, making similar provision for the purity, candle power, and pressure of gas supplied in that city.

Chapter 227 of the laws of 1907, being an act in relation to illuminating gas in the city of Albany, provides that the gas supplied in that city shall not be of less illuminating power than twenty-two candles; that each one hundred cubic feet of gas shall not contain more than five grains of ammonia, nor more than twenty grains of sulphur, nor more than a trace of hydrogen sulphide; and that the pressure at which such gas is furnished shall not at any point in any of the service mains be less than one inch nor more than two and a-half inches.

An order adopted by the former Commission of Gas and Electricity, which took effect June 15, 1907, established the standards of illuminating power of gas, at large throughout the State except as otherwise prescribed by law, at not less than sixteen candles for coal gas, eighteen candles for mixed coal and water gas, and twenty candles for water gas. The order further provides that gas shall not contain more than ten grains of ammonia nor more than twenty grains of sulphur per hundred cubic feet, and shall be free from hydrogen sulphide.

In each instance where tests have shown that gas supplied has been deficient in any of the above requirements, the Commission has called same to the attention of the corporations, and directed them to bring the gas within the required standards. The results of the inspections, which are given fully in the appendix of this report, are herewith summarized, as follows:

SUMMARY OF TESTS OF GAS FOR PURITY, QUALITY, AND CANDLE POWER.

Kind of gas.	Number of tests.	CANDLE POWER.			NUMBER OF TESTS SHOWING EXCESS PRESENCE OF—		Sulphuretted hydrogen present.
		Highest.	Lowest.	Average.	Sulphur.	Ammonia.	
Coal gas.....	64	21.5	11.0	16.2	7	3	12
Mixed gas....	12	23.8	16.4	20.6	.....	.....	.....
Water gas....	44	25.2	10.1	19.5	4	.....	13

A further order of the former Commission of Gas and Electricity required all corporations manufacturing and distributing 15,000,000 cubic feet or more of gas a year to install, on or before September 1, 1907, and thereafter maintain, stationary bar photometers, to be approved by the Commission, to be used in testing the candle power of the gas supplied by them. Fifty-seven corporations were affected by this order, twenty-four of whom were found to be supplied with suitable photometers. The remaining corporations are providing the required apparatus as rapidly as delivery can be made by the manufacturers. As of December 31, 1907, thirty-one corporations were equipped with photometers. When properly located, these instruments are available to the inspectors of the Commission in making official tests. For this reason, as well as to provide the corporations with accurate standards for their own use, a careful inspection has been made of each photometer and its appurtenances before approving of its use.

Tests of all wet meters used with the corporations' photometers have been made in the Commission's laboratory, the meters being corrected with a standardized meter power and the water level of each meter properly adjusted.

Inspection of Gas Meters.— Section 67 of the Public Service Commissions Law provides that all gas meters furnished for use shall be inspected, proved and sealed by the Commission; that all meters complained against by consumers shall be put to an official test; that all gas corporations shall provide upon their premises suitable apparatus, to be approved, stamped, or marked

by the Commission, by means of which such tests may and shall be made, and that inspectors be appointed to perform the work of inspection. These provisions are substantially the same as those contained in sections 62 to 64 of chapter 566, laws of 1890, now repealed. They affect the business of some one hundred and eighty persons and corporations furnishing gas within the jurisdiction of the Commission.

The administration of the former law having been confined to the several municipalities in which have been stationed deputy state inspectors of gas meters, it became necessary to effect an organization, financially practicable of administration, and which would enable the Commission to discharge these duties in every locality with such reasonable expedition as to avoid inconvenience to corporations and their customers.

For the purpose of obtaining information regarding the number of meters installed yearly within this jurisdiction, a circular was forwarded July 16, 1907, to all corporations, and blank forms of report inclosed. Upon the data submitted, the State has been divided into four districts, apportioned with regard to the estimated number of meters to be presented annually for verification and the distances separating centers of meter installations. In each of these districts has been stationed one or more inspectors. The corporations are required to make written requisition to the Commission for inspections. By limiting the tests made by each inspector to the number of meters contained in the requisition, control of the work is maintained, and the services of the inspectors properly distributed.

The law providing that no unverified meters shall be furnished consumers covers not only new meters but meters which are removed from use and proposed to be re-installed.

The plan of inspection includes the testing and sealing at the factories of new meters made within the State, and all removed meters that may be sent to such factories for repairs. Meters made without the State, and all other removed meters, are tested on the premises of the corporations.

When found to be or made to be correct, meters are sealed. A meter is held by the Commission to be correct if its rate of

registration is less than 2 per cent. either fast or slow. Two methods of sealing are employed, for two distinctive types of meters. With tin meters, chiefly used in measuring artificial gas, sealing wax is placed over the joint formed by the cover and body of the meter and the wax is impressed with an adjustable dating stamp which records the date of the test and words "Registers cubic feet accurately this day". For record purposes, and as a supplemental seal, a brass badge bearing a serial number and the name of the Commission is also affixed to the meter by soldering. It was found impossible, in practice, to effectually seal in this manner iron meters commonly used in measuring natural gas, and the method was therefore adopted of sealing these meters with a lead seal, upon one side of which is impressed the letters "P. S. C. 2nd" and upon the reverse side the words "New York".

Necessary apparatus was obtained, report blanks printed, rules formulated, and an eligible list of meter testers certified by the State Civil Service Commission in time to enable the work of inspection to be begun the third week in August, with the appointment of the first inspector. Thereafter, the system of inspection was extended as rapidly as possible throughout the State, additional men being appointed as their services were required. At present the Commission has in its employ six meter testers under the immediate direction of a chief inspector, and assisted in their work when required by three inspectors of gas.

It should be noted that since inspections were begun by the Commission a number of corporations have adopted the practice of removing, to be overhauled, one-third or one-fourth of their installed meters this year. Should this policy become general, it will result within a few years in placing under state seal practically every meter in use in this jurisdiction.

The following tables give the meters inspected and sealed per month, the total to date, the number sealed as correct, and the number rejected. The largest number of meters tested in one month was 6,669, or at the rate of 80,000 a year.

MONTHLY RECORD OF GAS METERS TESTED (1907).

Meters.	Aug.	Sept.	Oct.	Nov.	Dec.	Total.
Tin Meters:						
1. New	83	1,618	2,096	828	870	5,495
2. New prepayment	44	348	675	553	134	1,754
3. Repaired	10	629	2,696	2,851	3,626	9,812
4. Repaired prepayment	13	95	743	865	776	2,492
	150	2,690	6,210	5,097	5,406	19,553
Iron Meters:						
1. New	.....	.....	161	289	556	1,006
2. New prepayment	.....	.....	16	12	.....	28
3. Repaired	.....	.....	80	370	705	1,155
4. Repaired prepayment	.....	.....	.....	9	2	11
	.....	.....	257	680	1,263	2,200
	150	2,690	6,467	5,777	6,669	21,753

SUMMARY OF TESTS OF GAS METERS.
July 1, to December 31, 1907.

Number meters tested.	SEALED AS COMING WITHIN THE ERROR ALLOWED BY LAW.			REJECTED.		
	Correct	Fast.	Slow.	Fast.	Slow.	Unsound.
21,753	6,008	3,875	11,071	396	340	63

The average error of all correct meters tested, exclusive of complaint meters, was 0.72 per cent.

The average error of all incorrect meters tested, exclusive of complaint meters, was 4.88 per cent.

The average error of all meters tested, exclusive of complaint meters, was 0.86 per cent.

All tests of meters, except those conducted at the Commission's laboratory, are made with apparatus required by the law to be provided by the corporations on their premises. The apparatus best suited to this purpose is known as the gas meter prover. Formal notice was served upon all corporations furnishing gas that provers must be provided by them and submitted for inspection and approval at the Commission's laboratory.

For the purpose of making these tests, the Commission purchased a cubic foot measure, standardized and sealed as correct by the Federal Bureau of Standards at Washington, D. C. The test is made by passing a cubic foot of air from the standard cubic foot

through the prover and checking its registration upon the prover scale. During each test the room is saturated with moisture, and care is observed to maintain at the same degree the temperature of the water in the prover and in the cubic foot, and of the air in the room and in the bell of the meter prover. This operation is repeated for every cubic foot which the prover is marked to contain.

The meter provers in use throughout the State by corporations in testing the meters supplied to consumers have not heretofore been subject to official inspection properly required of standards of measurement.

To date, 73 provers have been submitted to the Commission for verification. Of these, 3 have been condemned as unfit for use, the scales of 20 have been ordered corrected, and 50 have been approved in the condition in which they were found.

Electric Meter Inspection.— In the matter of testing of instruments used in measuring electricity, section 67 of the Public Service Commissions Law provides generally that all electric meters furnished to consumers after July 1st shall be inspected, approved, stamped, or marked by the Commission; that all persons and corporations supplying electricity shall provide upon their premises suitable apparatus for testing electric meters, to be approved and stamped or marked by the Commission; and that all electric meters complained against by consumers shall be inspected and tested by the Commission, for which a uniform reasonable charge shall be fixed.

The Commission is at present engaged in the inspection of meters upon consumers' complaints; and in the inspection of meter testing systems of electric stations, of which there are 310. The testing of all meters furnished to consumers has not been undertaken.

In devising a plan for the administration of that provision of the law requiring the verification of meters furnished for use, the Commission was confronted with problems not entering into the inspection of gas meters. The commercial electric meter of today used in recording the consumption of energy by consumers, consists in general of a rotating disc or drum, the speed of which is proportional to the quantity of energy passing through the device in a

given time. The speed or number of revolutions per unit of time is recorded on a set of dials. External conditions affect the accuracy of registration of this measuring instrument mechanically: by vibration, dust, and moisture; and electrically: by changes in load, frequency, power factor, and wave shape in the case of alternating current meters, short circuits, and electrostatic effects. Internally, the meter is affected by friction, changes in the magnetic circuit, and changes in the winding or position of the coils. Of these obstacles to accurate registration, that of change in magnet circuit and that of change in position of the friction compensating coil result in over-registration. Creeping of the meter, or motion of the rotating element when no energy is passing, results from vibration, and occasionally from a distorted wave shape of electromotive force in the supply circuit. The other conditions, which in practice predominate, tend to make the meter run slow.

The combination of the above elements renders the electric meter a delicate measuring device, the accuracy of which should be periodically checked to insure correct registration. In checking their meters, where adjustment is found desirable, the operating corporations must of necessity have access to the meter's mechanism. Should the Commission, upon verification of a meter, seal it against such access, one of two results would follow: the meter would remain in use registering inaccurately, or to correct registration the seal must be broken.

After thorough investigation of the subject, the Commission is convinced that the prevailing tendency of electric meters is to under-register. Should the electrical corporations, therefore, be precluded from necessary adjustments of their meters, an operating loss would be imposed upon the corporations not intended by the law. On the other hand, should such periodic inspections result in the general destruction of state seals within a comparatively short time after they were placed upon the meters, a force of inspectors to meet the requirements of the corporations would be needed in such numbers as to render the scheme of inspection commercially impracticable.

The alternative to the employment of a large force of inspectors would be the carrying in stock by each corporation of a sufficient number of meters bearing the state seal to enable a compliance

with all demands without delay and resulting inconvenience to customers. Among the reasons which would operate to make this plan ineffectual are the inability of most corporations to make the necessary investment that would thereby be entailed, and the susceptibility of meters to derangement during transit from place of sealing to customers' premises or during installation.

The intent of the law is undoubtedly that no electric meter shall be furnished for use, or after being furnished shall remain in use, without bearing the stamp of the Commission guaranteeing its correct registration. The destruction of such stamp, if a seal, would therefore require the meter to be again submitted for verification.

The law, however, does not specifically require that electric meters shall be sealed, but provides that when such meters are found to be or made to be correct they shall be approved, stamped, or marked with some suitable device. However, unless the device used is a seal, meters once approved by the Commission would be subject to adjustment at the will of the corporations and without the knowledge of the Commission. A stamp or mark indicating the approval of the Commission as of a certain date could thus be made to serve as the guarantee of the State at any date subsequent thereto, irrespective of interim readjustments. The inspection by the State would thus become futile and the intent of the law be defeated.

In the solution of these and other problems of a minor nature, and for the purpose of devising ways and means of meeting the requirements of the law, the Commission on August 29, 1907, met in conference with representatives of practically the entire electrical interest in the State. After an interchange of opinions, a committee was appointed by the corporations' representatives present, composed of operating men from the small as well as large plants, with the object of presenting to the Commission a report embodying, if possible, the unanimous views of the corporations as to the practicable course to be pursued. At the request of the committee, the Commission on October 10th addressed a circular letter accompanied with a blank form of report to all electric plants within its jurisdiction, requesting the submission of complete data regarding the installation and testing of meters.

Upon the information thus obtained, the committee on December 10th submitted its report, which, because of the great care exercised in its preparation and as embodying the views of the electrical corporations of the State, we think should be here given in full.

ALBANY, NEW YORK, *December 10, 1907.*

TO THE PUBLIC SERVICE COMMISSION,
STATE OF NEW YORK, SECOND DISTRICT:

Sirs: The committee appointed by you at the hearing on August the twenty-ninth to consider the question of meters and meter inspection, and the necessity of any amendments to the Act creating and defining the duties of your honorable body, have had a number of meetings and other conferences, and have had before them for consideration the replies of the companies to the questions put to them by your Commission in regard to the methods of testing meters at present in force, the result of tests and the types of meters in use.

The committee reports in regard to meters and meter inspection:

1. Meters should not be sealed by representatives of the Commission, but the type of meters that may be used by the companies should be approved by the Commission.

2. The Commission should require each company to provide itself with such standards as are necessary to enable it to test all its consumers' meters. The standards used in testing consumers' meters should be submitted by each company to the Commission for its approval. . . . Companies should systematically and periodically test all consumers' meters. In general it would be satisfactory if the meters were tested once a year.

3. The Commission should supervise the testing department of each company, but the tests made by the inspectors of the Commission should be limited to the tests of consumers' meters made on written complaint to the Commission, and to tests of companies' standards.

4. Each company should be required to keep a systematic record of all its meter tests. This record should be open to the representatives of the Commission at all times.

5. When tests are made on complaint of consumers, the tests should be made by Commission's inspectors on the consumer's premises. The company should be given two days' notice and an oportunity to have a representative present at the test, and if it so desires, to check the test with its own standard instruments. The consumer should be required to be present at the test in person, or by authorized agent.

6. When tests are made on complaint of a consumer to the company, and not to the Commission, the result of the test should be forwarded to the Commission the first of the following month.

7. The inspectors of the Commission should, once in every three months, calibrate the standards of each of the companies. This calibration should be made at the testing-room of the company, the state's instruments being used as standards.

8. The state instruments used in checking the companies' instruments should be checked once a month by comparison with other standards, and an accessible public record kept of each test.

As the State has no laboratory, and the erection of one would be expensive and the cost of maintenance large, we suggest that the State make arrangements with various technical schools and universities, or other properly equipped laboratories, to check the state's standards. The State should be divided into not less than three districts for testing purposes, and the most accessible laboratory to the inspector's district used.

Laboratories should be required to keep their primary standards checked with those of the United States Bureau of Standards at Washington.

The committee suggests that fifteen hundred dollars annually should be paid by the State toward the expense of maintaining each of these testing centers, and an additional allowance be made covering necessary traveling or other expenses incurred in comparing the laboratory standards with those of the United States Bureau at Washington.

9. The Commission should fix as small a charge as possible for the services of their representatives in supervising the tests of all meters complained of by consumers. Two dollars is suggested.

10. All tests made on complaint of consumers to the Commission should be made on the consumers' premises under normal operating conditions. We recommend that test be made (1) at the nearest convenient load approximating 10 per cent. of rated capacity of meter, (2) at what consumer considers to be his normal average load, and (3) at a load equivalent to the total installation of the consumer; and the average of these three tests be the basis for determining the legal accuracy of the meter.

11. The following section of the law should be printed at the top or on the back of each billhead, together with a resolution of the Commission fixing the charge for the test of meter by Commission's representative, and an example of the blank billhead and the manner of charging for the services should be submitted to the Commission for their information and approval:

"If any consumer to whom a meter has been furnished, shall request the Commission in writing to inspect such meter, the Commission shall have the same inspected and tested; if the same on being so tested shall be found to be four per cent. if an electric meter, or two per cent. if a gas meter, defective or incorrect to the prejudice of the consumer, the inspector shall order the gas or electrical corporation forthwith to remove the same and to place instead thereof a correct meter, and the expense of such inspection and test shall be borne by the corporation; if the same on being so tested shall be found to be correct the expense of such inspection and test shall be borne by the consumer. A uniform reasonable charge shall be fixed by the Commission for this service."

All of which is respectfully submitted.

WM. LISPENARD ROBB,
Chairman of Committee,

H. J. BLAKESLEE,
F. B. H. PAINE,
S. TABER,
C. R. HUNTLEY,
R. M. SEARLE,
A. WILLIAMS,
L. E. IMLAY,
J. M. SHEEHAN,
T. R. BEALE,
J. L. LANGDELL,
W. L. ROBB,
G. W. CUNNINGHAM,
Committee.

Pending the determination of the problems above presented, the Commission, as heretofore stated, began an administration of the remaining provisions of section 67 of the statute relating to electric meters. The requirement of the law, that all corporations shall provide and maintain upon their premises suitable apparatus for proving the accuracy of electric meters, is regarded as of special importance. An organization was therefore effected for the purpose of systematically inspecting the equipment and methods employed by the corporations in their meter departments.

The Second District of the State was accordingly divided into four electric meter inspection districts, with their respective headquarters at Yonkers, Albany, Utica, and Rochester. An inspector of electric meters, appointed from a list of eligibles furnished by the State Civil Service Commission, is stationed in each district, under the supervision of a chief inspector at Albany.

Each inspector is provided with portable standard indicating instruments, of a type suitable for use on either direct current systems or alternating current systems of commercial frequencies. The range of these instruments is such that a large percentage of the station standards installed in each district may be checked direct from the inspector's apparatus. Arrangements are being made to provide equipment with which the highest capacity standard meters may be checked.

For frequently checking the accuracy of the portable or secondary standards of the district inspectors, a high grade potentiometer with auxiliary apparatus is being made to order, and upon delivery will be installed at Albany. This apparatus will make the State independent of outside laboratories for its check tests on instruments within the range of its standards. Pending the delivery of this apparatus, checks are being made from primary standards through the courtesy of the Rensselaer Polytechnic Institute at Troy, and the General Electric Company laboratory at Schenectady.

For tests requiring the use of heavy currents and high voltages, such as the testing of instrument transformers which are used in connection with recording wattmeters for the measurement of power sold at high potential, there is required special apparatus, which is considerably more expensive than the equipment now

purchased. The rapidly increasing importance of this class of testing calls for the purchase of apparatus which will enable the State to make such measurements with its own instruments.

Sixty-two electrical corporations in the State have been visited by the district inspectors; 149 station standards have been checked. Certificates of accuracy were issued on 102 standard meters; 47 standard meters were reported inaccurate; and 32 corporations and municipalities have been directed to provide upon their premises suitable apparatus for proving the accuracy of consumers' electric meters connected on their systems, the district inspectors having reported that said corporations and municipalities were lacking in such apparatus.

The Commission's announcement in November, that it was prepared to test consumers' meters upon application, has resulted to date in the filing of only six complaints. Tests in each instance were made *in situ,* and opportunity was given the complainant and the operating corporation to have representatives present. Of the six meters tested, one was found to register fast, four were accurate within the ruling of the Commission, and one was slow.

In compliance with a further provision of the law, a uniform reasonable charge is exacted for all complaint tests. These fees are paid in the first instance by the consumer, to whom in the event of the meter being found fast is given a warrant entitling him to receive from the corporation the amount paid by him.

PART III.

XII. THE GRADE CROSSING LAW.

The Grade Crossing Law (chapter 754, laws of 1897), which amends the Railroad Law, provides: First, in section 60, that all steam surface railroads hereafter built, except additional switches and sidings, must be so constructed as to avoid all public crossings of highways at grade whenever practicable so to do . . . ; and that the Board of Railroad Commissioners (Public Service Commissions as provided by chapter 429, laws of 1907,) shall determine whether such crossing shall be over or under the proposed railroad, except where the Board (Commissions) shall determine such method of crossing to be impracticable. Whenever under the provisions of section 60 new railroads are constructed across existing highways, the expense of crossing above or below the grade of the highway (section 65) shall be paid entirely by the railroad corporations. Second, in section 61, that no new street, avenue, or highway shall be constructed across a steam railroad in any manner except the one prescribed by the Board of Railroad Commissioners (Public Service Commissions). Whenever, under the provisions of this section, a new street, avenue, or highway is constructed across an existing railroad (section 65), the railroad corporation shall pay one-half, and the municipal corporation wherein such street, avenue, or highway is located shall pay the remaining one-half of the expense of making such crossing above or below grade. Third, provision is made in section 62 for the separation of crossings at grade by railroads and streets, avenues, or highways upon petition filed with the Board of Railroad Commissioners (Public Service Commissions) by the municipality or the railroad company. Whenever a change is made as to an existing crossing in accordance with this section, 50 per cent. of the expense thereof shall be borne by the railroad corporation, 25 per cent. by the municipal corporation, and 25 per cent. by the State. The Commission, under section 66, may institute a grade crossing separation proceeding on its own mo-

tion. Fourth, in section 68, that all steam railroads hereafter constructed across the tracks of any other railroad, and any street surface railroad hereafter constructed across a steam railroad, shall be above, below, or at grade of such existing railroad as the Board of Railroad Commissioners (Public Service Commissions) shall determine.

Other sections of the law provide for the acquisition of lands, rights, or easements necessary for the purpose of carrying out the provisions of various sections of the statute; the maintenance of structures; the approval of plans, specifications, estimates, and proposals of contractors by the Commission; and the method by which a municipality may temporarily borrow money to pay for its portion of any debt contracted under the statute.

Grade Crossing Eliminations.— Operations for the elimination of existing highway grade crossings of steam railroads have been carried on since 1899, when the first determination for the separation of grades was made by the Board of Railroad Commissioners. A synopsis of the determinations since made by the Board of Railroad Commissioners and by the Public Service Commission, Second District, will be found in the appendix to this report.

The estimated cost to the State (one-quarter of the total cost) in the work of eliminating grade crossings which are either completed, nearly completed, under active construction, or authorized, no part of which has been paid, is $797,006.28. The amount paid by the State Treasurer since the first action in 1899 to this date for such crossing eliminations is $404,253.62. The amount expended to June 30, 1907, was $366,188.28. The total amount spent, plus the estimated cost of work either under active construction or authorized, is $1,201,259.90. The total of yearly appropriations made is $1,367,606.92, leaving a balance for future work of $166,347.02. This balance of $166,347.02 should and will be applied to a few pending applications for grade separations within a very short time. There are numerous other cases now before the Commission where similar urgency appears, and in which estimates have been presented, and the cost to the State thereby involved will apparently require an additional expenditure exceeding $300,000.

1898.	Appropriation		$90,000 00
1899.	Appropriation		92,500 00
1900.	Appropriation		92,500 00
1901.	Appropriation		92,500 00
1902.	None.		
1903.	None.		
1904.	Appropriation	$150,000 00	
	Deduct previously appropriated and not re-appropriated	74,893 08	
			75,106 92
1905.	Appropriation		300,000 00
1905.	Special Schenectady appropriation		75,000 00
1906.	Appropriation		250,000 00
1907.	Appropriation		300,000 00
			$1,367,606 92
	Amount paid by State Treasurer, account of grade crossing elimination, to date		404,253 62
			$963,353 30
	Less amount obligated on account of contracts made and estimated cost of other work on other matters determined, some land damages included		797,006 28
	Balance		$166,347 02

GRADE CROSSING APPROPRIATIONS — ACCOUNT OF EXPENSES.

1898.	Appropriation	$10,000 00
1899.	Appropriation	7,500 00
1900.	Appropriation	7,500 00
1901.	Appropriation	7,500 00
1902.	Appropriation	5,000 00
1903.	Appropriation	7,500 00
1904.	Appropriation	6,500 00
1905.	Appropriation	5,000 00
1906.	Appropriation	6,000 00
1907.	Appropriation	None.
		$62,500 00
	Amount expended to June 30	60,669 15
	Balance	$1,830 00

There are pending at the present time 42 applications for the elimination of highway grade crossings of railroads on which no determination has been made; 11 railroads are involved in these petitions, and one-quarter of the estimated cost represented is greatly in excess of the amount at present available. This is

shown by estimates already made in 28 of these cases, with a prospective cost to the State of $402,892. This amount does not include the cost involved in the Utica elimination hereafter referred to, which cost depends upon the plan that may be adopted. Grade crossing elimination in cases where the improvement has been ordered is now in a more or less advanced state, in 14 the work being about complete. This partially completed work includes the discontinuance of 17 crossings at grade in the city of Schenectady. Up to the present time, 201 grade crossings have been eliminated, this number including 7 highway grade crossings, which were made private crossings by the erection of farm gates, and 2 crossings which were closed to vehicles but not to pedestrians. This number will be increased by 24, representing crossings that will be abolished by work now under way or authorized, making a total of 225. The cost of work now completed but not paid for, added to that under active construction and work authorized, is estimated to cost $797,006.28, and involves the elimination of a total of 47 grade crossings.

The following table is inserted as showing the report of casualties at railroad grade crossings of highways in this State during each of the past ten years:

TABLE

Showing number of grade and other crossings and number of casualties at grade crossings in State of New York for ten years, from 1897 to 1906:

Year.	PROTECTED CROSSINGS.		*UNPROTECTED CROSSINGS.		NUMBER OF GRADE CROSSINGS.		Over or under grade.	Total number grade crossings reported.
	Killed.	Injured.	Killed.	Injured.	Prot.	Unprot.		
1897	21	23	73	87	.....	.....	.....	.....
1898	34	36	68	77	.....	.....	.....	.....
1899	24	25	77	55	.....	.....	.....	.....
1900	31	25	71	69	.....	.....	.....	.....
1901	29	51	77	72	.....	.....	.....	.....
1902	28	27	61	65	1,912	6,883	1,466	8,795
1903	28	13	77	60	1,954	6,774	1,482	8,728
1904	39	30	66	54	1,970	6,883	1,531	8,853
1905	28	12	72	64	1,978	6,729	1,594	8,707
1906	41	12	65	54	1,940	6,793	1,644	8,733

Total killed in ten years..... 1,016 Average per year..... 101.6
Total injured in ten years..... 911 Average per year..... 91.1
192.7

* Under protected crossings are included those guarded by gatemen, flagmen, or both, and crossing bells.

It will be noted that the railroad companies of the State report 8,733 grade crossings as still in existence in the State.

Several petitions for elimination of grade crossings involve very large expenditure of money. The New York Central and Hudson River Railroad Company has petitioned for the elimination of grade crossings at White Plains, one-quarter of the estimated cost of which is $55,000; grade crossings at Tarrytown, one-quarter of the estimated cost of which is $50,000; grade crossings at Ossining, one-quarter of the estimated cost of which is $44,000; and grade crossings at Hastings, Bronxville, Scarsdale, East Chester, and Irvington, one-quarter of the estimated cost of the last five mentioned being in the vicinity of $75,000.

The Commission also has pending before it a petition of the city of Utica for elimination of the Park avenue and North Genesee street grade crossings. There are several schemes proposed for this elimination, with total estimated costs varying from $474,000 to $780,000.

Hearings have been held upon the White Plains and Ossining applications, and there have been several hearings in the Utica matter.

The table of grade crossing accidents above set forth demonstrates that with all of the improved appliances to afford protection at such crossings, a considerable number of persons are killed and injured each year at protected grade crossings, while many more are killed or seriously injured at such crossings where no protection has been provided. With an average of more than one hundred persons killed, and nearly the same number injured each year, the constant charge upon pedestrians and those using vehicles to exercise care in the preservation of their lives while using these portions of public highways, and the responsibility, moral or otherwise, resting upon those in charge of train operations on the railroads, all fully justify not only the present policy of the State to eliminate the more dangerous of these crossings, but the early enforcement of that policy by such liberal appropriations as may seem permitted under prudent expenditure of the public funds. It should be added, in this connection, that in all instances brought to the attention of this Commission, the railroad corporation affected or applying has indicated its willingness

to join in some manner in eliminating the crossing at grade, and often has been in the attitude of insisting upon the improvement as designed to relieve it of probable serious responsibility arising in probable future accidents; and, in addition, in cases relating to the New York Central and Hudson River railroad, as preliminary work necessary to such extensive improvements as electrifying the southern portion of its lines and the erection of modern and more commodious stations in larger cities.

The amount of money made available to pay the state's share of the expense of these grade separations has been at all times since the law became operative far below a sum sufficient to permit action upon the applications filed, and evidently for that reason the former Board of Railroad Commissioners in only one instance exercised its authority to deal with a case of this character upon its own motion. Railroad companies and municipalities generally have knowledge of the continuing insufficiency of the grade crossing appropriation, and this knowledge deters them from filing petitions for eliminations which with a fairly liberal appropriation would be presented and could be acted upon with dispatch.

Electric railroads located on highways, and with the highway crossing steam railroads at grade, are entirely exempt from the charge fixed and apportioned as the result of the grade crossing elimination. The separation of such grade eliminates for the electric railroad all elements of danger and responsibility, results in decreased cost of maintenance, and in some cases wipes out the fixed charge for an interlocking plant. In such cases the electric railroad benefits largely from the grade separation, but, as stated, is subjected to no part of the cost. Under a provision in the Massachusetts law, the electric railroad may be assessed 15 per cent. of the total cost of the improvement. The statute could well be so amended that where a street surface railroad crosses a steam railroad in a highway which is to be changed from grade under section 62 of the Railroad Law, this Commission would have authority to apportion to the street railroad such share of the expense, not exceeding a stated percentage, as might be deemed reasonable, such amount to be deducted from the share which would otherwise be borne by the State.

There is no provision of law which requires prompt action on the part of the municipality in the acquisition of land or the satisfaction of claims, or on the part of the railroad company as to submission of plans and specifications, letting of contracts, or time to complete the work after a determination has been made. This has led to many vexatious delays in the past, and to secure prompt results it should be within the province of the Commission to fix the time of action, as above stated, by the municipality or railroad company as the case may require.

While not undertaking to go fully into the various grade crossing separation laws of other states, it will be of interest to say, that New York, Massachusetts, and Vermont are extending state aid to the work: New York since 1898, Massachusetts since 1890, and Vermont since 1906. Up to last year, Massachusetts had spent $7,109,982 for these eliminations; while New York's total contribution to date has been only $1,367,606.92. In New York, on account of the small appropriation, the greater portion of its work has been in the less populous districts; but Massachusetts has proceeded apparently upon the view that these separations are most needed in and about the cities or large towns where traffic upon the highways and railroads creates especially perilous conditions. This is illustrated by the fact that with a state expenditure about six times more than that of New York, the number of grade crossing eliminations in Massachusetts during seventeen years has been about the same as the number of such separations in New York during a period of about ten years.

The appendix contains various tables relating to grade separations in this State; and also a comparative table showing the money expended in New York, Massachusetts, and Vermont.

Crossing of Highways by New Railroads.— There are now pending before this Commission two petitions for authority to construct new railroads over highways at grade. Section 60 requires that new steam railroads must be so constructed as to avoid all public crossings at grade "whenever practicable so to do." It seems plain that the insertion of the words "whenever practicable so to do" permits the Commission to consider the practicability of over or under crossings, with reference not only to the physical condition of particular crossings, but the financial conditions

appertaining to the building of the railroads as well. A small but needed railroad through a sparsely settled section, apparently would be prohibited, by excessive cost of construction, if the crossing of every highway by that line must be over or under instead of at grade. On the other hand considerations affecting public safety may be so insistent in the case of a projected railroad through a thickly settled part of the State, that irrespective of the cost, no grade crossings should be permitted, or only such crossings at grade should be allowed as have relation to little traveled highways, and under requirements for the maintenance of gates, flagmen, bells, or other appropriate safeguards. The cost of constructing such over or under crossings of highways by new railroads as may be required is rightly borne by the railroad corporation; and the suggestion appropriately arises that the law should provide for subsequent orders by the Commission for elimination of crossings at grade, at the cost of the railroad corporation, where the railroad of that corporation or any extension thereof shall have been permitted by the Commission to make such crossings at grade, because at the time the under or over crossing was for special reasons not deemed practicable. While fairness and justice may often require allowance of a highway crossing at grade by new railroads or extensions, it does not seem fair or just that later, when separation of grades at any such crossing is, upon the petition and hearing, shown practicable and necessary to public safety, the State or the municipality should be called upon to bear part of the expense for work, all of which would have been avoided if the railroad corporation had at the time of original construction been able to perform it.

Crossings by Steam Railroads with Other Steam Railroads.— The number and character of crossings of steam railroads with other steam railroads, as reported by the Railroad Commissioners' report for 1906, are as follows:

Unprotected.	Gates.	Flagmen.	Gates and Flagmen.	Interlocking.	Signals not interlocked.	Over grade.	Under grade
22	10	10	13	131	92	141	137

Interlocking Appliances.— During the year the Commission has approved several plans for interlocking at grade crossings of

steam railroads with other steam railroads; much, however, remains to be done to secure proper protection to the public at railroad intersections, and it is our view that at all such railroad grade crossings, especially those in communities outside of cities where local and operating conditions may justify it, proper interlocking appliances should be installed. Most steam railroads are recognizing the necessity of more complete protection at railroad intersections, and a considerable number of interlocking plants have been installed at such points within the past few years.

Interlocking appliances have been approved by this Commission for grade crossings of steam railroads with other steam railroads at the following points:

1. Crossing of the Rome, Watertown and Ogdensburg division of The New York Central and Hudson River railroad with the New York, Ontario and Western railway at Central Square. (Case No. 53.)
2. Crossing of the Rome, Watertown and Ogdensburg division of The New York Central and Hudson River Railroad Company with the Lehigh Valley railroad at Sterling station. (Case No. 54.)
3. Crossing of the Ithaca, and Elmira, Cortland and Northern branches of the Lehigh Valley railroad at Van Etten Junction. (Case No. 134.)
4. Crossing of the Lehigh Valley railroad and Delaware, Lackawanna and Western railroad at Cortland Junction. (Case No. 134.)

Crossing of Electric Railroads with Steam Railroads.—The number and character of crossings of electric railroads with steam railroads, as stated in the Railroad Commissioners' report for 1906, are as follows:

		Protected by						
Unprotected.	Gates.	Flagmen.	Gates and Flagmen.	Interlocking.	Signals not interlocked.	Derails on Elec. Railroad.	Over grade.	Under grade.
63	17	71	32	10	1	63	114	83

XIII. ACCIDENTS.

Section 47 of the Public Service Commissions Law requires that every common carrier, railroad corporation, and street railroad corporation shall give immediate information to the Commission of every accident happening upon its line of railroad or street railroad, in such manner as the Commission may direct. It further requires the Commission to investigate the cause of all accidents on any railroad or street railroad within the Second District which result in loss of life or injury to persons or property and which in its judgment shall require investigation. For

the purpose of carrying out the provisions of this section, the Commission, on the 3d day of September, 1907, issued a series of regulations for the guidance of all railroad and street railroad corporations, elaborate in terms, and which will be published in the appendix of this report. It is proper, however, to state at this place, that by these regulations the Commission requires immediate notice by telegraph of the following classes of railroad accidents:

(a) All accidents resulting in loss of life to passengers or employees.

(b) All accidents occurring at grade crossings resulting in death or serious injury to any person.

(c) All derailments of passenger trains, or of locomotives or cars in passenger trains.

(d) All collisions involving freight or passenger trains, whether resulting in loss of life or not.

(e) All explosions of locomotive boilers; and all accidents to locomotive boilers resulting in death or serious injury to any person.

(f) All bridge failures.

Every accident, whether covered in a preliminary notice by telegraph or not, is required to be reported to the Commission upon a form supplied by it, immediately after the circumstances attending the accident shall have been ascertained. For the purpose of affording necessary detail, the blank form requires that accidents which result in the death or injury of persons shall be classified under the following heads:

(a) Passengers; (b) passengers on freight trains; (bb) persons carried under agreement or contract; (c) trainmen; (cc) trainmen in yards; (d) yard trainmen, switching crews; (e) switch tenders, crossing tenders, and switchmen; (f) other employees; (g) other persons — trespassing; (h) other persons — non-trespassing.

Complete information regarding place of accident, damage to cars, engines, track, bridges and signals, nature and causes of, and circumstances attending the accident, is also required.

Reports of all accidents which have occurred since July 1, 1907, on both steam and electric railroads, have been made on

this form. The reports are carefully studied, either by a Commissioner or by one of the inspectors, and the necessity for an investigation is determined largely by the consideration of these reports.

Investigation of Accidents.—As far as practicable the Commission has investigated and will continue to investigate all accidents, the circumstances of which indicate dangerous conditions whether the particular accident is serious in its consequences or not, the object of the investigation being to direct attention to and correct wrong conditions, which if not remedied will be likely to cause loss of life or injury to persons.

An early investigation, for instance, was that of a derailment of the front tender truck of a locomotive, which caused some of the cars of a passenger train to leave the track. The investigation of this particular accident did not reveal any certain cause. Careful inquiry by our inspectors, however, showed that there had been a large number of similar derailments within two years on some of the railroads in the State. Most of these derailments were of minor importance in themselves, and very few had been reported to the former Board of Railroad Commissioners, as they did not involve any loss of life or serious injury. Such investigations as this Commission was able to make, in view of the time which had elapsed, indicated defective maintenance of track as a primary cause of these accidents, and correspondence with the railroads involved showed that the railroad officers had themselves reached the same conclusion. In some cases an increase in the track force had already been made, and in other cases the necessity of greater attention to track maintenance was suggested by this Commission; and a higher standard of maintenance has been enforced in the localities where derailments have been reported. The result has been that no derailments of this nature have occurred during at least the last four months.

A number of "rear end" and "head on" collisions have been reported, and although the results in most cases have not been serious, the number of such accidents call attention to the advisability of requiring the introduction of some form of mechanical block system on all railroads of fairly heavy traffic which are

not already equipped, and this subject is being considered by the Commission.

The investigation of accidents caused by defects in equipment is mentioned under equipment inspection.

The number of accidents which justify inspection is such as to make it desirable to increase the force of inspectors in this department, and progress is being made toward the perfection of an organization which will, we believe, place the accident investigation work of this Commission on a much more satisfactory basis.

Arrangements will be made as soon as practicable to issue printed bulletins, monthly or quarterly, giving a summary of the accidents reported and the results of the investigations made.

A large number of accidents, clearly, are occasioned solely by carelessness of operating employees, to prevent which the most carefully devised rules seem to be powerless, far too frequently. Whether insistence by this Commission upon more thorough discipline will be of practical advantage remains to be determined by experience. It certainly will be the duty of this Commission to inform the public of the exact causes of accidents so far as they can be ascertained, and indicate with as much precision as possible the persons primarily responsible therefor.

Drawbridges.— The matter of protection of operation of drawbridges was taken up by the former Board of Railroad Commissioners and a special inspection made to determine if the protection and operation were such as to insure the greatest safety. A copy of the report of such inspection, with recommendations as to changes necessary to add to safety, was sent to the railroad corporations interested January 29, 1907. The officers of those corporations replied, expressing willingness to do all necessary to make protection and operation thoroughly safe.

This Commission has given the matter the necessary attention, and at nearly all such drawbridges the changes in protection and operation have been completed, and at the others, are in progress.

XIV. PERMANENT IMPROVEMENTS AND ADDITIONS MADE BY RAILROAD CORPORATIONS.

The increasing business of the last few years has entailed upon railroad corporations enormous expenditures in the way of addi-

tional rolling stock and equipment, and additions to terminals and tracks. So far as we are advised, no accurate and comprehensive statement of efforts which have been made by these corporations to meet such demand upon them has ever been made. It is a matter of common knowledge that the growth of business has been such that it has been only with great difficulty that railroad corporations have been able to take care of the business offered; and whether they have made proper efforts to increase their facilities and equipment to a degree commensurate with the business offered them is a question much discussed, with but little available data for its proper solution.

The brief time elapsing since the Commission took office has not been sufficient to enable it to collect precise statistical information upon this subject, but it deemed that such information, general in its nature although it might not be precisely accurate in detail, would be of great value to it and to the public in a variety of ways. On the 1st of last November it adopted a resolution requiring railroad corporations subject to its supervision to report to it all important permanent improvements to their roadway, buildings, bridges, and terminals within this State, not including, however, repairs and replacements to existing structures, which were completed during the year ending June 30, 1907; also, all such improvements in progress but not completed; also, all additions to their rolling stock and equipment, together with the cost of the same, for the same period, and all orders now outstanding for equipment which have not been filled. This resolution was transmitted to the corporations affected thereby, accompanied by a circular calling attention to the importance of the subject and the desirability that the information should be as full as possible. It is gratifying to say that the corporations have, at considerable trouble to themselves, reported in very considerable detail upon the matters mentioned in the resolution, and that in the published appendix to this report abstracts of the same for each railroad will be given, thereby enabling the public to judge of the efforts which each corporation has been making to keep up with the increased business. Some general statement is appropriate in this place of the amounts

expended and proposed to be expended in this increase of equipment and enlargement of facilities, and also of the increase in the rolling stock.

Attention is drawn to the fact that the Commission can not vouch for the literal accuracy of all these figures, but it believes that they approximate very closely to absolute correctness, and afford in a general way a very clear view of the amounts which have been expended by the corporations for additional facilities.

We incorporate in this report: first, a somewhat detailed statement of the additions to rolling stock and equipment; and, second, a statement of the aggregate cost of the improvements made during the year ending June 30, 1907; and also the aggregate cost of the improvements since made or which are now in progress, the latter figures including, of course, the estimated cost of work which is not completed.

Rolling stock and equipment reported to the Commission, pursuant to Circular No. 22, is as follows:

STEAM RAILROADS.*

Equipment.	During year ending June 30, 1907.	Since June 30, 1907, or ordered.
Freight cars	37,672	31,139
Passenger coaches	265	254
Electric motor cars	100	.....
Trailers	51	.....
Baggage, express and postal cars	172	Included in foregoing.
Milk cars	94	26
Snow-plows	2	2
Combination cars	21	.....
Passenger locomotives†	405	155
Electric passenger locomotives	63	3
Freight locomotives	203	240
Switch locomotives	108	45
Company service cars	863	Included in foregoing.

* Included in the above are reported 6 steel mail and baggage cars, 6,000 steel coal cars, 32 steel flat cars, 1,000 steel gondolas, 124 automobile cars, 13 horse cars, 8 stock cars. Also reported are 3 cafe cars, 37 parlor, sleeping and dining cars, 3 library cars, 1 set of gun trucks, 2 Lidgerwood unloaders, 3 roadbed spreaders, 1 test weight car, 4 steam shovels and 1 gas transport supplied or ordered. For marine equipment, 20 open lighters, 5 floats, 3 pile drivers, 23 coal barges, 15 covered barges, 3 ferry boats, 1 car ferry, 3 tugs, 8 grain boats, and coal boats (number not given).

† Locomotives not specified are included with passenger locomotives.

The aggregate figures reported to date of permanent additions and improvements, and of additions to rolling stock and equipment, are as follows, not including The Delaware, Lackawanna and

Western Railroad Company, and Utica and Mohawk Valley railway (electric), for which figures are not yet available:

STEAM RAILROADS.

Permanent additions and betterments during year ending June 30, 1907	$9,981,798 00
Additions and betterments since or in progress	53,118,025 00
Additions to rolling stock and equipment during year ending June 30, 1907	61,224,420 00
Additions since or for which contracts have been placed	48,150,913 00
	$172,475,156 00

ELECTRIC RAILROADS.

Permanent additions and betterments during year ending June 30, 1907	$4,870,733 00
Additions and betterments since or in progress	7,441,249 00
Additions to rolling stock and equipment during year ending June 30, 1907	1,977,851 00
Additions since or for which contracts have been placed	1,216,440 00
	$15,506,273 00

SOME GENERAL STATISTICS OF RAILROADS FOR THE YEAR ENDING JUNE 30, 1907.

Although as hereinbefore observed, it is the general plan of this report to place statistics in appendices thereto, it is believed that the results of tabulations of the operations of steam and electric railroads are of sufficient general interest to call your attention to them at this place. It should not be overlooked that electric railroads situate in the Second District only, report to this Commission.

STEAM RAILROADS.

Miles of steam railroads operating wholly within the State	1,390.50
Increase in miles during the year	72.54
Per cent. of increase	5.53
Miles of steam railroads operating partly within and partly without the State	17,991.45
Increase in miles during the year	211.16
Per cent. of increase	1.19
Gross earnings from operation	$407,910,669
Increase over preceding year	30,750,047
Per cent. of increase	8.16

Expenses of operation	$287,458,423
Increase over preceding year	26,249,012
Per cent. of increase	10.06
Net earnings from operation	120,452,246
Increase over preceding year	4,501,035
Per cent. of increase	3.88
Tons of freight carried	283,990,000
Increase over preceding year	17,806,000
Per cent. of increase	6.69
Ton-miles of freight carried	39,179,164,000
Increase over preceding year	3,319,716,000
Per cent. of increase	9.26
Passengers carried	256,317,000
Increase over preceding year	6,682,000
Per cent. of increase	2.68
Total passenger-miles	6,087,334,000
Increase over preceding year	419,109,000
Per cent. of increase	7.39
Total dividends paid during the year	$52,107,722

ELECTRIC RAILROADS.

Miles operated	1,751.52
Increase over preceding year	170.37
Per cent. of increase	10.77
Gross earnings from operation	$19,293,052
Increase over preceding year	2,469,716
Per cent. of increase	15.94
Expenses of operation	12,471,755
Increase over preceding year	1,878,287
Per cent. of increase	17.73
Net earnings from operation	6,821,197
Increase over preceding year	774,513
Per cent. of increase	12.81
Passengers carried	427,520,000
Increase over preceding year	43,869,000
Per cent. of increase	11.43
Total dividends paid during the year	$1,659,157

Broken Rails.— An investigation by the former Board of Railroad Commissioners, early in 1907, disclosed a great increase in the number of rail breakages on the main lines of the various railroads within the limits of this State. Two recent accidents occurring by reason of such breakage have impressed upon the Commission the necessity of continuing the investigation with thoroughness and in great detail. Railroad companies will, at an early day,

be required to give detailed information regarding their rail specifications, purchase of rails, proposed changes in specifications, and all other matters which will afford information to the Commission upon this topic.

Reports of the Former Commissions.— The former Commission of Gas and Electricity, shortly before July 1st, made a report of its operations for the six months ending June 30, 1907, and this report having been turned over to this Commission, with the books and papers of the former Commission, will be transmitted to the Legislature with this report. The Commission is not advised that the former Board of Railroad Commissioners has made any formal report of its operations for the six months ending June 30, 1907, but the work of that Commission, so far as is disclosed by the records turned over, will be printed in proper appendices to this report.

Amendments to the Public Service Commissions Law.—Actual work in carrying out the provisions of the Public Service Commissions Law has shown that in matters of practice it may be desirable to make some amendments thereto. The subject of such amendments has been and is now under consideration with the Public Service Commission for the First District, and at a proper time it is expected to present to the Legislature recommendations embodying such amendments as have suggested themselves to the two Commissions.

Future Work of the Commission.—There has been detailed in this report the work undertaken by the Commission, and the organization which it has effected for the purpose of taking care of the details of that work. It will be observed that the field of operations indicated by the Public Service Commissions Law is far from covered, and that in order to carry out the spirit and purpose of that law a very considerable extension of the activities of the Commission will be required, which will necessitate in the future increases from time to time in the number of its employees. If the work with which this Commission is charged is worth doing, it should be done with thoroughness. Thoroughness and proper attention to detail and prompt dispatch of business can only be accomplished by adequate departmental organization,

with a sufficient number of employees of proper training and skill in their respective work. An appropriation sufficient for the work in contemplation will be asked of the Legislature at the proper time.

All of which is respectfully submitted.

Dated January 15, 1908.

FRANK W. STEVENS,
C. H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

APPENDIX A.

Orders Granted under Section 53, Public Service Commissions Law.

Approval of Construction and Exercise of Franchise by Steam Railroad Corporations.

APPENDIX A.

[Case No. 31]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held in the city of Buffalo on the 17th day of September, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of CROSSTOWN STREET RAILWAY COMPANY OF BUFFALO, for permission and approval as to a proposed extension of an electric railroad in Delavan avenue in the town of Cheektowaga, Erie county, N. Y.

The petitioner, Crosstown Street Railway Company of Buffalo, having duly applied to this Commission for its approval and permission to construct an extension of its electric street railroad in the town of Cheektowaga, Erie county, New York, in and throught Delavan avenue from the City Line of the city of Buffalo, to the Pine Hill road, so called, and it appearing that the Town Board and Board of Highway Commissioners heretofore and on or about the 30th day of July, 1907, duly granted its consent to the construction of said extension, upon certain conditions therein contained, and it further appearing that all requisite, preliminary steps have been taken by the said petitioner; and a hearing having been had before this Commission in the city of Buffalo, New York, on the 17th day of September, 1907, and proofs having been taken, and the petitioner having appeared by Thomas Penney, esq., its counsel, and the Buffalo Cemetery Association having appeared in opposition thereto by Peter Maul, esq., its counsel, and the town of Cheektowaga having appeared by John W. Fisher, esq., its counsel, and due deliberation having been had thereon, and this Commission having determined that such construction and the exercise of said franchise are necessary and convenient for the public service:

Now, therefore, this Commission hereby grants its permission and approval for the exercise of the said franchise and the construction of said extension, subject, however, to all the terms and conditions contained in the aforesaid grant or franchise from the Town Board and Board of Highway Commissioners of said town of Cheektowaga.

[Case No. 26]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23d day of September, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of EAST SIDE TRACTION COMPANY of Syracuse, under section 53 of the Public Service Commissions Law, for permission to exercise a franchise for and approval of construction, in the village of East Syracuse, of a double and single track street railroad.

Appearances:
W. P. Gannon, esq., for the petitioner;
William Kennedy, esq., for the village of East Syracuse;
A. R. Evans, esq., for property owners on Clark street.

The East Side Traction Company (leased to and operated by the Syracuse Rapid Transit Railway Company), on the 5th day of September, 1907, filed with this Commission its petition, under section 53 of the Public Service Commissions Law, for permission to construct, in the village of East Syracuse, a double and single track street railroad, and for approval of the exercise of a franchise for the railroad received from the village. On September 9th, an amended petition to the same effect was filed.

The franchise from the village authorizes the construction by the petitioner of a double track street railroad in Burnet avenue a distance of about five hundred (500) feet; in Clark street from Burnet avenue to Manlius street a distance of about one thousand (1,000) feet; and a single track street railroad in Manlius street from Clark street to Hartwell avenue; and a single track street railroad in Hartwell avenue from Manlius street to the present terminus of the petitioner's railroad in Hartwell avenue. There is now a single track in said portions of Manlius street and Hartwell avenue.

Construction under this franchise will provide a double track railroad from the present terminus of the petitioner's line in East Syracuse to the westerly line of said village. The conditions in the franchise are proper ones and are comprehensive. It appeared at the hearing that the railroad will not be built in Clark street, but on private right of way parallel to and about one hundred (100) feet west of that street.

After construction under this franchise and new franchises obtained, or to be obtained (but in relation to which petition has not yet been made to this Commission), in the town of DeWitt and village of Eastwood, there will exist (in connection with the Syracuse Rapid Transit railway) a new double track street railroad route between Syracuse and East Syracuse. An existing single track route of this petitioner in another direction will continue to be operated between Syracuse and East Syracuse.

The fare on this petitioner's railroad between Syracuse and East Syracuse is now ten cents. Upon the granting of this application, the fare will immediately be reduced to five cents on the existing single track line, and will be five cents on the new line when constructed.

A hearing on this petition was held at the office of the Commission in the Capitol, in the city of Albany, on the 23d day of September, 1907. There

was no opposition, except that Mr. Evans, representing property owners, objected to the construction of an overhead bridge crossing by this railroad of a steam railroad on Clark street. This is another proceeding, but it appeared in this hearing that the bridge is not to be constructed on Clark street, but on private right of way.

Upon the aforesaid petition and the accompanying papers and the evidence taken at said hearing, and after due consideration, it is

Ordered: That this Commission hereby permits the East Side Traction Company to construct a double and single track street railroad in the village of East Syracuse on the route hereinabove described, and hereby approves the exercise by said company of the franchise, dated September 3, 1907, for said railroad received from said village.

[Case No. 19]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3d day of October, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of DOLGEVILLE AND SALISBURY RAILWAY COMPANY, under section 59 of the Railroad Law and under section 53 of the Public Service Commissions Law.

The Dolgeville and Salisbury Railway Company, on the 28th day of August, 1907, filed with this Commission its petition, under section 59 of the Railroad Law and section 53 of the Public Service Commissions Law, for the certificate required under section 59 that the conditions prescribed in said section have been complied with by the petitioner, and that public convenience and a necessity require the construction of the petitioner's railroad, and under section 53, for permission to construct and approval of the construction of petitioner's railroad and for permission to exercise and approval of the exercise of franchises therefor.

The petitioner proposes to build a standard gauge railroad, to be operated by steam, from a connection with the existing Little Falls and Dolgeville steam railroad, in Dolgeville, to the mine of the Salisbury Steel and Iron Company in the town of Salisbury, a distance of about 4½ miles, all in the county of Herkimer.

A hearing, after public notice, was had upon this petition at the office of the Commission in the Capitol in the city of Albany on the 9th day of September, 1907. Mr. A. M. Mills appeared for the petitioner. No one else appeared. Evidence was taken regarding the matters set forth in the petition.

There was filed with the Commission proof that the directors of the petitioner had caused a copy of its articles of association to be published in a newspaper in the county in which the road is proposed to be located, once a week for three successive weeks. It appeared from the evidence at the hearing that public convenience and a necessity require the construction of the petitioner's railroad. The main object of construction is to afford an

outlet from the mine; but it also appeared that the railroad would serve the conveniences and necessities of the public generally.

Upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due consideration it is

Ordered: (1) That this Commission hereby certifies, under section 59 of the Railroad Law, that the conditions of said section have been complied with by the Dolgeville and Salisbury Railway Company, and that public convenience and a necessity require the construction of the railroad of said Dolgeville and Salisbury Railway Company as proposed in its articles of association.

Ordered: (2) That this Commission, under section 53 of the Public Service Commissions Law, hereby permits and approves of the construction of the railroad of the Dolgeville and Salisbury Railway Company, and hereby permits and approves the exercise of franchises for said construction.

[Case No. 42]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 4th day of October, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of FISHKILL ELECTRIC RAILWAY COMPANY, under section 103 of the Railroad Law, for approval of a declaration of abandonment of a portion of route, and under section 53 of the Public Service Commissions Law, for permission to construct an extension of its railway on certain streets in the village of Matteawan, and to exercise a franchise for such extension granted by said village.

The Fishkill Electric Railway Company, on September 26, 1907, filed with this Commission its petition, (1) under section 103 of the Railroad Law, for approval of a declaration of abandonment, duly adopted by the directors and stockholders of the petitioner, of the single track railway of the petitioner in Main street between the northeasterly side of Herbert street and the south side of Fishkill avenue in the village of Matteawan, a distance of about one block; (2) under section 53 of the Public Service Commissions Law, for permission to construct and exercise a franchise for a single track extension of the petitioner's railway in Herbert street from a connection with its railway at the intersection of Main and Herbert streets to the intersection of Herbert street and a new street, sometimes called New Main street; in New Main street, about one block, to Fishkill avenue; and in Fishkill avenue about one block to Main street, to a connection again with the petitioner's railway in Main street.

A hearing was held by this Commission at its office in the Capitol, Albany, on September 30, 1907. Samuel K. Phillips appeared for the petitioner. There was received from the president and trustees of the village an affidavit to the effect that, in their opinion, there is no objection to the proposed abandonment and new construction. A franchise for the new construction was granted by the village August 20, 1907, and property owners' consents have been obtained.

The reason for this petition is that the village has taken steps to close that portion of Main street in which the petitioner's railway now is and

has opened a new street one block away, and by construction in the intersecting streets and in the new street, the petitioner's railway may be operated as a continuous route, and furnish substantially as good accommodation to the public as at present.

On the aforesaid petition and the accompanying papers and statements at the hearing, and after due consideration, it is

Ordered: (1) That this Commission hereby approves the declaration of abandonment of that portion of the street railway, single track, of the Fishkill Electric Railway Company in the village of Matteawan, in Main street between the northeasterly side of Herbert street and the south side of Fishkill avenue, and that the declaration of abandonment of said portion of said railway duly adopted by the directors and stockholders of the Company be indorsed with the approval of this Commission.

Ordered: (2) That this Commission hereby permits and approves the construction in the village of Matteawan of a single track extension of the Fishkill Electric railway, in Herbert street, from a connection with said railway at the intersection of Main and Herbert streets to the intersection of Herbert street and a new street, sometimes called New Main street; in New Main street, about one block, to Fishkill avenue; and in Fishkill avenue, about one block, to Main street, to a connection again with the petitioner's railway in Main street, and hereby permits and approves the exercise of said franchise for said extension received from the village.

[Case No. 24]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of November, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the NEW YORK AND STAMFORD RAILWAY COMPANY, under section 53 of the Public Service Commissions Law, for permission to construct, and exercise franchises for, a second track and double track extensions of its railway in the villages of Larchmont, Rye, and Port Chester.

The New York and Stamford Railway Company, on September 7, 1907, filed with this Commission its petition, under section 53 of the Public Service Commissions Law, for permission to construct, and exercise franchises for, a second track, and double track extensions, of its railway in the villages of Larchmont, Rye, and Port Chester, Westchester county, and for permission to construct a double track extension of its railroad on private right of way in the village of Rye, from a connection with its railroad on Meadow street to a connection with an extension of its railroad to be constructed under one of said franchises on Forest avenue. A hearing on this petition, after due notice, was held before this Commission at its office in the Capitol, Albany, on November 6, 1907. William Greenough appeared for the petitioner. No one else appeared, except that Justus A. B. Cowles, president of the village of Rye, filed with this Commission a letter dated the 4th instant, on the subject of this petition and another petition as to abandonment of a portion of the route of the petitioner's railway in Rye; Mr. Cowles' letter not being in opposition.

From the petition and accompanying papers and the evidence at the hearing, it appears that the New York and Stamford Railway Company operates an electric railroad from the easterly city line of New Rochelle to and through the village of Larchmont, to and through the village of Rye, to and through the village of Port Chester, to the Connecticut-State line, where it connects with another electric railroad which extends to Stamford, Conn.; that the petitioner proposes to double track its entire railroad; that while the construction named in this petition will not complete the proposed plan, it will result in materially improving the facilities for operation; that in the future one or more other petitions will be made to this Commission for approval of franchises for construction on the remaining portions of the route; that the necessary consents of abutting property owners to this new construction have been obtained except on Mill street in Port Chester, on which street it is expected such consents will be obtained.

Upon this state of facts, we are convinced that this proposed construction and the exercise of the franchises therefor will serve the convenience of the public; and, after due deliberation, it is

Ordered: (1) That under section 53 of the Public Service Commissions Law this Commission hereby permits and approves the construction of a second track and double track extensions of the railroad of the New York and Stamford Railway Company on streets and avenues in the villages of Larchmont, Rye, and Port Chester, and hereby permits and approves the exercise of franchises for such construction granted by the proper municipal authorities of said village, to wit:

1. A franchise from the proper municipal authorities of the village of Larchmont, dated April 18, 1907.
2. A franchise from the proper municipal authorities of the village of Rye, dated July 3, 1907.
3. Three separate franchises from the proper municipal authorities of the village of Port Chester, dated, respectively, one, June 14, 1907; and the other two, July 29, 1907.

Ordered: (2) That under section 53 of the Public Service Commissions Law this Commission hereby permits and approves the construction of a double track extension of the railroad of the New York and Stamford Railway Company on private right of way in the village of Rye, Westchester county, from a connection with said company's railroad on Meadow street to a connection with an extension of its railroad to be constructed, under one of said franchises, on Forest avenue.

APPENDIX B.

Orders Granted under Section 55, Public Service Commissions Law.

Permits to Issue Stocks, Bonds, and Other Evidences of Indebtedness by Steam Railroad Corporations.

APPENDIX B.

[Case No. 2]

STATE OF NEW YORK,
ALBANY, *July 30, 1907.*

BEFORE THE PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

Present:
Commissioners
KEEP,
DECKER,
SAGUE.

In the matter of the Application of the BUFFALO, ROCHESTER AND PITTSBURGH RAILWAY COMPANY, under section 55 of the Public Service Commissions Law, for an order authorizing said company to issue one million three hundred thousand dollars ($1,300,000) equipment bonds.

Upon the petition of the Buffalo, Rochester and Pittsburgh Railway Company, verified on the 18th day of July, 1907, and proof of service thereof upon the Guaranty Trust Company of New York, said petition showing that the petitioner entered into a written agreement with the Guaranty Trust Company of New York, dated April 1, 1907, a copy of which was filed with the petition, providing for the issue by the petitioner of three million dollars ($3,000,000) equipment bonds, said bonds to be secured by the title of the equipment vested in said Guaranty Trust Company and said equipment to be paid for by the proceeds of said bonds, the agreement providing that the total purchase price of such equipment should be not less than three million three hundred thousand dollars ($3,300,000), and that said bonds shall not be issued in excess of three million dollars ($3,000,000); said petition further showing that prior to July 1, 1907, the petitioner had issued and sold total purchase price of such euipment should be not less than three million dollars ($3,000,000) equipment bonds to pay for equipment contracted for by said petitioner before July 1st, and that the petitioner now desires to acquire for use on its railroad the balance of the equipment provided for in said agreement with the Guaranty Trust Company and to issue the balance of said bonds, amounting to one million three hundred thousand dollars ($1,300,000), and that the petitioner has already entered into contracts with manufacturers of cars and locomotives for additional equipment to cost in the aggregate about one million two hundred thousand dollars ($1,200,000), and intends and desires to enter into further contracts for the balance thereof; and proof having been made to the satisfaction of the Commission of the facts as set forth in the petition, and after hearing James S. Havens on behalf of the petitioner, it is hereby

Ordered: That this Commission consents to the issuance by the Buffalo, Rochester and Pittsburgh Railway Company of the balance of said three million dollars ($3,000,000) equipment bonds, Series F, to wit: the sum of one million three hundred thousand dollars ($1,300,000) thereof, under said agreement dated April 1, 1907, between said Railway Company and the Guaranty Trust Company of New York.

And it is hereby stated that in the opinion of the Commission the use of the capital to be secured by the issue of said equipment bonds is reasonably required for the purposes of the corporation as set forth in said petition.

[Case No. 1]

STATE OF NEW YORK,
July 31, 1907.

BEFORE THE PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

Present:
Commissioners
KEEP,
DECKER,
SAGUE.

In the matter of the Application of the BUFFALO AND SUSQUEHANNA RAILWAY COMPANY, under section 55 of the Public Service Commissions Law, for an order authorizing said company to issue nine hundred thousand dollars ($900,000) five per cent. (5%) equipment gold bonds, series C; and also authorizing said company to guarantee payment of the principal and dividends at the rate of five per cent. (5%) per annum of three hundred thousand dollars ($300,000) car trust certificates.

Upon the petition of the Buffalo and Susquehanna Railway Company, verified July 29, 1907, showing that the petitioner has entered into an agreement with the Pressed Steel Car Company for the purchase of five hundred (500) flat bottom gondola cars of 100,000 pounds capacity; also two hundred (200) center dumping hopper cars of 100,000 pounds capacity; also one hundred (100) general service gondola cars of 100,000 pounds capacity; and that the petitioner has entered into an agreement with the Western Steel Car and Foundry Company for the purchase of two hundred (200) structural steel, under-framed box cars of 80,000 pounds capacity; and that the petitioner has entered into an agreement with the American Locomotive Company for the purchase of twenty (20) locomotives; and that all of said equipment is to be delivered during the calendar year one thousand nine hundred and seven (1907); and that said equipment is necessary for the proper and efficient conduct of the business of the petitioner; and that the petitioner is about to enter into two agreements with the Pennsylvania Company for Insurance on Lives and Granting Annuities, of Philadelphia, Pennsylvania, whereby said Pennsylvania Company is to take over the contracts for equipment aforesaid and is to supply said equipment to petitioner upon receipt of certain cash payments therein mentioned and the following obligations of the petitioner, namely: nine hundred thousand dollars ($900,000) in equipment gold bonds, series C, to bear interest at the rate of five per cent. (5%) per annum and be payable in twenty semi-annual instalments of forty-five thousand dollars ($45,000) each, beginning February 1, 1908, and ending August 1, 1917, and three hundred thousand dollars ($300,000) of car trust certificates to be issued by the said Pennsylvania Company as trustee upon which petitioner will be required to guarantee prompt payment of principal in semi-annual instalments of fifteen thousand dollars ($15,000) and dividends at the rate of five per cent. (5%) per annum on all principal sums unpaid; and that the total price of the equipment purchased under the agreements aforesaid will be one million three hundred ninety-three thousand four hundred ten dollars ($1,393,410); and proof having been made of the facts stated in said petition to the satisfaction of the Commission, and after hearing James K. Beekman, esq., on behalf of the petition, it is hereby

Ordered: That this Commission hereby authorizes the issuance of the nine hundred thousand dollars ($900,000) five per cent. (5%) equipment gold bonds, series C, hereinbefore described; and also the guarantee by the petitioner of the payment of the principal and dividends at the rate of five per cent. (5%) per annum on the three hundred thousand dollars ($300,000) car trust certificates hereinbefore described, making a total of equipment bonds and car trust certificates of one million two hundred thousand dollars ($1,200,000).

And it is hereby stated that in the opinion of the Commission the use of the capital to be secured by the issue of the aforesaid bonds and certificates is reasonably required for the purposes of the corporation as set forth in its petition and for the improvement and maintenance of its service.

[Case No. 11]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, N. Y., on the 29th day of August, 1907.

Present:
FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Issue by ERIE RAILROAD COMPANY of its lease warrants to the Pullman Company for the purchase of sixty (60) passenger coaches.

The Erie Railroad Company, on the 10th day of August, 1907, filed with this Commission its petition, under section 55 of the Public Service Commissions Law, for an order of the Commission authorizing the issue by it of its lease warrants, hereinafter described, and the making by it of the agreement with the Pullman Company attached to and made a part of the petition and hereinafter referred to. A hearing was duly had upon said petition at the office of the Commission in the Capitol, Albany, on August 14, 1907.

G. A. Richardson, vice-president, and G. N. Orcutt, general attorney, of the Company, appeared for the petitioner, and evidence was taken regarding the matters set forth in the petition.

In the opinion of this Commission the use of the capital to be secured by the issue of the four hundred and fifty-six thousand three hundred and forty-five dollars ($456,345.00) lease warrants, bearing five per cent. (5%) interest, hereinafter authorized, is reasonably required for the purposes of the corporation as set forth in the petition, namely: the acquisition of sixty (60) passenger coaches, for the extension and improvement of the facilities and the improvement and maintenance of the service of the petitioner.

Upon the aforesaid petition and the evidence taken at said hearing, and after due consideration, it is

Ordered: (1) That the Erie Railroad Company be and hereby is authorized to issue to the order of the Pullman Company twenty (20) lease warrants, bearing five (5%) per cent. interest, dated August 15th, 1907, of twenty-two thousand eight hundred seventeen and 25-100 ($22,817.25) dollars each, amounting in the aggregate to four hundred and fifty-six thousand three hundred and forty-five ($456,345.00) dollars, covering the deferred payments upon the acquisition by Erie Railroad Company of sixty (60) suburban passenger coaches, such lease warrants to include interest at the rate of five (5%) per cent. per annum, computed quarterly. One of such warrants to be payable on the 15th day of each November, February, May, and August, from November, 1907, to August, 1912, both inclusive. The lease warrants to be delivered ratably as the rolling stock is delivered, and to be payable at the National City Bank, New York.

Ordered: (2) The making, execution and delivery by Erie Railroad Company of the agreement and lease with the Pullman Company, dated March 20, 1907, providing for the acquisition by Erie Railroad Company of the equipment above mentioned, and the issuance of the above described lease warrants and payment thereof, is hereby approved, a copy of said agreement and lease being attached to and made a part of the petition herein.

[Case No. 12]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, N. Y., on the 29th day of August, 1907.

Present:
FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Issue by ERIE RAILROAD COMPANY of its car trust certificates to the American Car and Foundry Company for the purchase of three thousand (3000) steel under-frame box cars.

The Erie Railroad Company, on the 10th day of August, 1907, filed with the Commission its petition, under section 55 of the Public Service Commissions Law, for an order of the Commission authorizing the issue by it of its car trust certificates hereinafter described, and the making by it of the agreement with the American Car and Foundry Company, referred to in said petition filed with this Commission and dated October 1st, 1907. A hearing was duly had upon said petition at the office of the Commission in the Capitol, Albany, on August 14, 1907.

G. A. Richardson, vice-president, and G. N. Orcutt, general attorney, of the Company, appeared for the petitioner, and evidence was taken regarding the matters set forth in the petition.

In the opinion of the Commission, the use of the capital to be secured by the issue of the three million and forty thousand dollars ($3,040,000.00) five per cent. gold, car trust certificates, hereinafter authorized, is reasonably required for the purposes of the corporation as set forth in the petition, namely: the acquisition of three thousand steel under-frame box cars for the extension and improvement of the facilities and the improvement and maintenance of the service of the petitioner.

Upon the aforesaid petition and the evidence taken at said hearing, and after due consideration, it is

Ordered: (1) That Erie Railroad Company be and hereby is authorized to issue its five (5%) per cent. gold car trust certificates, certified by the Columbia Trust Company, trustee, series "N," of one thousand ($1,000.00) dollars each, to the amount of three million and forty thousand ($3,040,000.00) dollars, covering deferred payments upon the acquisition by Erie Railroad Company of three thousand steel under-frame box cars, said certificates to be numbered from number N one to number N three thousand and forty (N3,040), inclusive, and by the terms thereof the principal to be payable as follows: No. N1 to No. N152, both inclusive, on April 1, 1908; No. N153 to No. N304, both inclusive, on October 1, 1908; No. N305 to No. N456, both inclusive, on April 1, 1909; No. N457 to No. N608, both inclusive, on October 1, 1909; No. N609 to No. N760, both inclusive, on April 1, 1910; No. N761 to No. N912, both inclusive, on October 1, 1910; No. 913 to No. N1064, both inclusive, on April 1, 1911; No. N1065 to No. N1216, both inclusive, on October 1, 1911; No. N1217 to No. N1368, both inclusive, on April 1, 1912; No. N1369 to No. N1520, both inclusive, on October 1, 1912; No. N1521 to No. N1672, both inclusive, on April 1, 1913; No. N1673 to No. N1824, both inclusive, on October 1, 1913; No. N1825 to No. N1976, both inclusive, on April 1, 1914; No. N1977 to No. N2128, both inclusive, on October 1, 1914; No. N2129 to No. N2280, both inclusive, on April 1, 1915; No. N2281 to No. N2432, both inclusive, on October 1, 1915; No. N2433 to No. N2584, both inclusive, on April 1, 1916; No. N2585 to No. N2736, both inclusive, on October 1, 1916; No. N2737 to No. N2888, both inclusive, on April 1, 1917; No. N2889 to No. N3040, both inclusive, on October 1, 1917; each of said certificates to bear coupons entitling the bearer to interest at the rate of five (5%) per cent. per annum, payable semi-annually on the respective dates mentioned above.

Ordered: (2) That the making, execution and delivery by Erie Railroad Company of the contract of lease and conditional sale between said American Car and Foundry Company, Columbia Trust Company, and Erie Railroad Company, dated October 1, 1907, which agreement covers both the leasing and conditional sale to the Erie Railroad Company of the equipment above mentioned and the issue by the Erie Railroad Company of the certificates above mentioned, is hereby approved.

[Case No. 13]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, N. Y., on the 29th day of August, 1907.

Present:
FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Issue of car trust certificates executed by Central Trust Company of New York guaranteed by ERIE RAILROAD COMPANY, for the purchase by Erie Railroad Company of one thousand all-steel coal cars.

The Erie Railroad Company, on the 10th day of August, 1907, filed with this Commission its petition, under section 55 of the Public Service Commissions Law, for an order of the Commission authorizing the issue of its car trust certificates hereinafter described and guaranteed as hereinafter described, and the making by it of the agreement with the Central Trust Company of New York, trustee, owner and lessor, referred to in said petition filed with this Commission and dated August 31, 1907. A hearing was duly had upon said petition at the office of the Commission in the Capitol, at Albany, on August 14, 1907.

G. A. Richardson, vice-president, and G. N. Orcutt, general attorney, of the Company, appeared for the petitioner, and evidence was taken regarding the matters set forth in the petition.

In the opinion of the Commission, the use of the capital to be secured by the issue and guarantee of the one million dollars ($1,000,000) five per cent. (5%) gold, car trust certificates hereinafter authorized is reasonably required for the purposes of the corporation as set forth in the petition, namely: the acquisition of one thousand (1,000) all-steel coal cars for the extension and improvement of the facilities, and the improvement and maintenance of the service of the petitioner.

Upon the aforesaid petition and the evidence taken at said hearing, and after due consideration, it is

Ordered: (1) That Erie Railroad Company be and hereby is authorized to issue its guarantee of prompt payment of the principal of and of the dividends upon car trust certificates, series "O," numbered from one to one thousand, inclusive, and executed by the Central Trust Company of New York, trustee, in the principal sum of one thousand dollars ($1,000) each, and in the aggregate amount of one million dollars ($1,000,000), covering the deferred payments upon the acquisition by the Erie Railroad Company of one thousand (1,000) all-steel coal cars. The principal of such certificates by the terms thereof to be payable as follows: Nos. 1 to 50, both inclusive, on the 1st day of April, 1908; Nos. 51 to 100, both inclusive, on the 1st day of October, 1908; Nos. 101 to 150, both inclusive, on the 1st day of April, 1909; Nos. 151 to 200, both inclusive, on the 1st day of October, 1909; Nos. 201 to 250, both inclusive, on the 1st day of April, 1910; Nos. 251 to 300, both inclusive, on the 1st day of October, 1910; Nos. 301 to 350, both

inclusive, on the 1st day of April, 1911; Nos. 351 to 400, both inclusive, on the 1st day of October, 1911; Nos. 401 to 450, both inclusive, on the 1st day of April, 1912; Nos. 451 to 500, both inclusive, on the 1st day of October, 1912; Nos. 501 to 550, both inclusive, on the 1st day of April, 1913; Nos. 551 to 600, both inclusive, on the 1st day of October, 1913; Nos. 601 to 650, both inclusive, on the 1st day of April, 1914; Nos. 651 to 700, both inclusive, on the 1st day of October, 1914; Nos. 701 to 750, both inclusive, on the 1st day of April, 1915; Nos. 751 to 800, both inclusive, on the 1st day of October, 1915; Nos. 801 to 850, both inclusive, on the 1st day of April, 1916; Nos. 851 to 900, both inclusive, on the 1st day of October, 1916; Nos. 901 to 950, both inclusive, on the 1st day of April, 1917; Nos. 951 to 1000, both inclusive, on the 1st day of October, 1917; each of said certificates to bear dividend warrants entitling the bearer to interest at the rate of five per cent. (5%) per annum, payable as provided in the aforesaid contract between Erie Railroad Company and Central Trust Company of New York.

Ordered: (2) That the making, execution and delivery by the Erie Railroad Company of the aforesaid contract and lease between said Central Trust Company of New York and Erie Railroad Company dated the 31st day of August, 1907, which agreement also covers the issue of the certificates above mentioned and the guarantee of Erie Railroad Company to be indorsed upon each thereof, is hereby approved.

[Case No. 14]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, N. Y., on the 29th day of August, 1907.

Present:
FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Acquisition by ERIE RAILROAD COMPANY of thirty-eight (38) locomotive engines and the issue by it of certain obligations therefor.

The Erie Railroad Company, on the 10th day of August, 1907, filed with this Commission its petition, under section 55 of the Public Service Commissions Law, for an order of the Commission authorizing the issue by it of its lease of and agreement to purchase thirty-eight (38) locomotive engines, and the issue by it of certain evidences of indebtedness in payment therefor. A hearing was duly had upon said petition at the office of the Commission in the Capitol, Albany, on August 14th, 1907.

G. A. Richardson, vice-president, and G. N. Orcutt, general attorney, of the Company, appeared for the petitioner, and evidence was taken regarding the matters set forth in the petition.

It appears that on September 19, 1906, Erie Railroad Company duly entered into a contract with the American Locomotive Company to construct for it three (3) locomotive engines at a total approximate cost of one hundred and eight thousand dollars ($108,000), and on February 6, 1907, duly entered into a contract with the American Locomotive Company to construct for it thirty-five (35) other locomotive engines at a total approximate cost of six hundred and sixteen thousand eight hundred and seventy-five dollars ($616,875), to be delivered in the months of July and August, 1907; and it further appears that these agreements were assigned by the American Locomotive Company to Mr. Edward T. Stotesbury, residing in Philadelphia, who has agreed to lease these locomotives to Erie Railroad Company for the term of ten (10) years, from July 1, 1907, to July 1, 1917, under a lease providing for the cash payment on demand of one hundred and

forty-four thousand eight hundred and seventy-five dollars ($144,875), and deferred payments aggregating five hundred and eighty thousand dollars ($580,000), payable in semi-annual instalments of twenty-nine thousand dollars ($29,000) each, over the period of the lease, with interest on deferred payments at the rate of five (5%) per cent. per annum; and it further appears that it is desired to make an agreement between Mr. Edward T. Stotesbury, the Girard Trust Company, and Erie Railroad Company, providing for the issuance by the Girard Trust Company of five hundred and eighty (580) gold, equipment trust certificates, bearing five (5%) per cent. interest, of one thousand dollars ($1,000) each, in the aggregate amount of five hundred and eighty thousand dollars ($580,000), to be known as series "M," to represent the deferred payments above mentioned; the prompt payment of the principal and interest to be guaranteed by Erie Railroad Company; the agreement to provide that upon the making by Erie Railroad Company of the deferred payments, with interest hereinbefore referred to, the title to said locomotive engines shall rest in Erie Railroad Company, and so long as it performs the conditions of the said lease and of the said trust agreement upon its part, it shall be entitled to have the possession and use of said locomotive engines.

In the opinion of this Commission the use of the capital to be secured by the issue of the five hundred and eighty thousand dollars ($580,000) five (5%) per cent. gold, equipment trust certificates, herein authorized, is reasonably required for the purposes of the corporation, as set forth in the petition, viz.: the acquisition of thirty-eight (38) locomotive engines for the extension and improvement of the facilities and the improvement and maintenance of the service of the petitioner.

Upon the aforesaid petition and the evidence taken at said hearing, and after due consideration, it is

Ordered: That the making of the lease between Erie Railroad Company and Mr. Edward T. Stotesbury, hereinbefore described, is approved and authorized, and that the making of the trust agreement between Mr. Edward T. Stotesbury, the Girard Trust Company, and Erie Railroad Company, hereinbefore described, with the guarantee of Erie Railroad Company to make prompt payment of the principal and interest, be and the same is hereby approved by this Commission; and, further, that a copy of such agreement, certified by the secretary of said petitioner, when executed, be immediately filed with this Commission.

[Case No. 15]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, N. Y., on the 29th day of August, 1907.

Present:
FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Issue by ERIE RAILROAD COMPANY of its car trust certificates to the Standard Steel Car Company for the purchase of two thousand (2,000) steel hopper cars.

The Erie Railroad Company, on the 10th day of August, 1907, filed with this Commission its petition, under section 55 of the Public Service Commissions Law, for an order of the Commission authorizing the issue by it of its car trust certificates hereinafter described, and the making by it of the agreement with the Standard Steel Car Company, attached to and made a part of the petition and hereinafter referred to. A hearing was duly had upon said petition at the office of the Commission in the Capitol, Albany, on August 14, 1907.

G. A. Richardson, vice-president, and G. N. Orcutt, general attorney, of the Company, appeared for the petitioner, and evidence was taken regarding the matters set forth in the petition.

In the opinion of the Commission, the use of the capital to be secured by the issue of the two million one hundred forty thousand dollars ($2,140,000.00) five per cent., gold, car trust certificates, hereinafter authorized, is reasonably required for the purposes of the corporation as set forth in the petition, namely: the acquisition of two thousand (2,000) steel hopper cars for the extension and improvement of the facilities and the improvement and maintenance of the service of the petitioner.

Upon the aforesaid petition and the evidence taken at said hearing, and after due consideration, it is

Ordered: (1) That Erie Railroad Company be and hereby is authorized to issue its five (5%) per cent. gold, car trust certificates, certified by the Bankers Trust Company, trustee, series "L," of one thousand ($1,000.00) dollars each, to the total amount of two million one hundred and forty thousand ($2,140,000.00) dollars, covering the deferred payments upon the acquisition by Erie Railroad Company of two thousand (2,000) steel hopper cars, said certificates to be numbered from number one to number two thousand one hundred and forty (2,140), inclusive, and by the terms thereof the principal to be payable as follows: No. 1 to No. 107, both inclusive, on January 1, 1908; No. 108 to No. 214, both inclusive, on July 1, 1908; No. 215 to No. 321, both inclusive, on January 1, 1909; No. 322 to No. 428, both inclusive, on July 1, 1909; No. 429 to No. 535, both inclusive, on January 1, 1910; No. 536 to No. 642, both inclusive, on July 1, 1910; No. 643 to No. 749, both inclusive, on January 1, 1911; No. 750 to No. 856, both inclusive, on July 1, 1911; No. 857 to No. 963, both inclusive, on January 1, 1912; No. 964 to No. 1070, both inclusive, on July 1, 1912; No. 1071 to No. 1177, both inclusive, on January 1, 1913; No. 1178 to No. 1284, both inclusive, on July 1, 1913; No. 1285 to No. 1391, both inclusive, on January 1, 1914; No. 1392 to No. 1498, both inclusive, on July 1, 1914; No. 1499 to No. 1605, both inclusive, on January 1, 1915; No. 1606 to No. 1712, both inclusive, on July 1, 1915; No. 1713 to No. 1819, both inclusive, on January 1, 1916; No. 1820 to No. 1926, both inclusive, on July 1, 1916; No. 1927 to No. 2033, both inclusive, on January 1, 1917; No. 2034 to No. 2140, both inclusive, on July 1, 1917; each of said certificates to bear coupons entitling the bearer to interest at the rate of five (5%) per cent. per annum, payable semi-annually on the respective dates mentioned above.

Ordered: (2) That the making, execution and delivery by Erie Railroad Company of the lease from the Standard Steel Car Company to Erie Railroad Company of the equipment above mentioned, under date of July 1, 1907, and the agreement by the Standard Steel Car Company, Bankers Trust Company, and Erie Railroad Company, covering the issue of the certificates above mentioned, dated July 1, 1907, is hereby approved.

[Case No. 38]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22d day of October, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of LEHIGH AND HUDSON RIVER RAILWAY COMPANY, under section 55 of the Public Service Commissions Law, for authority to issue nine notes in part payment for six locomotive engines.

The Lehigh and Hudson River Railway Company, on the 22nd day of September, 1907, filed with this Commission its petition for authority to issue to Burnham, Williams & Company, proprietors of the Baldwin Locomotive Works of the city of Philadelphia, nine notes for $5,855.61 each, the total being $52,700.49, payable at various periods, in part payment for six locomotive engines furnished to the petitioner by the Locomotive Works, said locomotive engines having the Baldwin Locomotive Works, class designation 10/36 D, 452, 453, 454, 455, 456, 457, and the lessee's numbers 29, 30, 31, 32, 33, and 34.

A hearing in this matter was held at the office of the Commission in the Capitol, Albany, on the 22nd day of October, 1907; John J. Beattie appearing for the petitioner.

It appears from the petition and accompanying papers and from evidence at the hearing, that these locomotives are to cost $13,438 each, a total of $80,628; that the entire amount to be paid to Burnham, Williams & Company is $86,392.92, which includes interest on the deferred payments; and that the difference between the total amount of the nine notes and the last named total is to be met in another manner.

In the opinion of this Commission from the petition and accompanying papers and from the evidence at the hearing, the use of the capital to be secured by the issue of the nine notes for $5,855.61 each, hereinafter authorized, is reasonably required for the purposes of the corporation, to wit: the acquirement of six locomotive engines for the improvement and maintenance of the service of the petitioner.

Upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: (1) That under section 55 of the Public Service Commissions Law this Commission hereby authorizes Lehigh and Hudson River Railway Company to issue to Burnham, Williams & Company, proprietors of the Baldwin Locomotive Works of the city of Philadelphia, nine notes for $5,855.61 each, all bearing date August 27, 1907; the first of said notes to become due thirteen months after date, and one of the others of said notes to become due at the expiration of each succeeding three months until the last becomes due thirty-seven months from the date thereof, said notes to bear no interest, the interest being included in the face of the notes.

Ordered: (2) That said nine notes for $5,855.61 each be devoted to the payment in part of the cost of the six locomotive engines above referred to purchased from Burnham, Williams & Company of the city of Philadelphia, and to no other purpose; said locomotive engines bearing the Baldwin Locomotive Works, class designation 10/36 D, 452, 453, 454, 455, 456, 457, and the lessee's numbers 29, 30, 31, 32, 33, and 34.

Ordered: (3) That as each of said nine notes for $5,855.61 each is paid and cancelled, proof by affidavit of such payment and cancellation be filed by the petitioner with this Commission.

[Case No. 130]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of December, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of WARREN AND JAMESTOWN STREET RAILWAY COMPANY, under subdivision 10, section 4 of the Railroad Law, for consent to issue a second mortgage for $100,000; and under section 55 of the Public Service Commissions Law, for authority to issue one hundred six per cent. ten-year gold bonds of the denomination of $1,000 each, to be secured by said second mortgage.

The Warren and Jamestown Street Railway Company, on the 25th day of November, 1907, filed with this Commission its petition, under subdivision 10, section 4 of the Railroad Law, for consent to issue a second mortgage for $100,000; and under section 55 of the Public Service Commissions Law, for authority to issue one hundred six per cent. ten-year gold bonds of the denomination of $1,000 each, to be secured by said second mortgage.

A hearing, after public notice, was had on said petition at the office of the Commission in the Capitol, Albany, on the 9th day of December, 1907. John M. Siegfried appeared for the petitioner. No one else appeared.

From the petition and accompanying papers and from the evidence taken at the hearing, it appears that the petitioner has outstanding notes for various amounts, and is indebted for a balance of $875 due on a purchase-money mortgage on real estate, the total amounting to $92,475; that the proceeds of the notes were used for construction and equipment; that the purchase-money mortgage was given for the purchase of real estate in the city of Jamestown, N. Y., on which a freight house of the petitioner is built.

In the opinion of this Commission, from the petition and accompanying papers and from the evidence taken at the hearing, the use of the capital to be secured by the issue by this petitioner of the second mortgage and the second mortgage bonds hereinafter authorized, is reasonably required for the said purposes of the corporation, to wit: the cancellation and discharge of its obligations as described in the petition and evidence taken at the hearing.

Upon the aforesaid petition and accompanying papers and from the evidence taken at the hearing, and after due deliberation, it is

Ordered: (1) That under subdivision 10, section 4 of the Railroad Law this Commission hereby consents to the issue by Warren and Jamestown Street Railway Company of a second mortgage upon all the property and franchises of said company, to secure the payment of a series of second mortgage, ten year, six per cent. gold bonds, of the aggregate amount of $100,000.

Ordered: (2) That under section 55 of the Public Service Commissions Law this Commission hereby authorizes Warren and Jamestown Street Railway Company to issue one hundred, ten year, six per cent. gold bonds, of the denomination of $1,000 each, said bonds to be secured by said second mortgage.

Ordered: (3) That the proceeds of said bonds shall be devoted by Warren and Jamestown Street Railway Company to and used for the following purposes, and no other, viz.: the cancellation and discharge of its obligations, to wit: outstanding notes for various amounts and a balance of $875 due

on a purchase-money mortgage on real estate, the total amounting to $92,475, as described in the petition and evidence taken at the hearing.

Ordered: (4) That said Warren and Jamestown Street Railway Company shall make verified reports to this Commission, as follows: (a) Upon the sale of the $100,000, second mortgage bonds, authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said bonds have been expended pursuant to the provisions of this order.

APPENDIX C.

Orders Granted under Section 68, Public Service Commissions Law.

Approval of Construction and Exercise of Franchise by Gas and Electrical Corporations.

APPENDIX C.

[Case No. 4]

At a meeting of the Public Service Commission of the Second District, held at the Capitol in the city of Albany on the 29th day of July, 1907.

Present:
CHARLES H. KEEP,
JAMES E. SAGUE,
MARTIN S. DECKER,
Commissioners.

In the matter of the Application of the VILLAGE OF SHERBURNE for a certificate of authority to build, maintain and operate an electric lighting plant for other than municipal purposes.

Application having been made to the Commission of Gas and Electricity and a proceeding commenced by the filing of a petition on or about the 1st day of June, 1907, by the Village of Sherburne, a municipality, for consent to build, maintain and operate an electric lighting plant for other than municipal purposes, which said proceeding was pending undetermined before said Commission of Gas and Electricity, prior to and at the time of the taking effect of chapter 429 of the laws of 1907, the papers and records pertaining to which were duly transferred and delivered to the Public Service Commission of the Second District, and which said proceeding has been conducted and continued by said Commission under the provisions of said act; now, on reading and filing said petition, and after a public hearing held pursuant to appointment at the Capitol in the City of Albany on the 29th day of July, 1907, William H. Wild, president of the said village, appearing in favor of the application, no one in opposition; and it appearing that an issue of bonds not to exceed $15,000 was duly authorized at a special election held in said village, March 19, 1907, the proceeds to be used to install an electric lighting plant for lighting the streets and selling electric current; and it further appearing that the estimated cost of the proposed electric plant and distributing system does not exceed the said sum of $15,000; it is

Ordered: That said application for a certificate of authority be and the same is hereby granted, and the Public Service Commission of the Second District hereby certifies in accordance with section 68 of chapter 429 of the laws of 1907, that the Village of Sherburne is authorized to build, maintain and operate for other than municipal purposes a plant and system for the manufacture and supplying of electricity for lighting purposes.

[Case No. 7]

At a meeting of the Public Service Commission of the Second District, held at the Capitol in the city of Albany, on the 29th day of July, 1907.

Present:
CHARLES H. KEEP,
JAMES E. SAGUE,
MARTIN S. DECKER,
Commissioners.

In the matter of the Application of SHERBURNE GAS COMPANY for a certificate of authority to transact business and for consent to issue $10,000 stock for the purpose of acquiring the plant of the Sherburne Opera House and Gas Association.

Application having been made to the Commission of Gas and Electricity and a proceeding commenced by the filing of petitions on or about the 22d

and 27th days of June, 1907, by Sherburne Gas Company, a corporation proposing to manufacture and supply gas for lighting the streets and public and private buildings of the village and town of Sherburne, and to acquire and manage property pertaining to the conduct of such business, for a certificate of authority to transact business, and for consent to issue $10,000 stock, which said proceeding was pending undetermined before said Commission of Gas and Electricity, prior to and at the time of the taking effect of chapter 429 of the laws of 1907, the papers and records pertaining to which were duly transferred and delivered to the Public Service Commission of the Second District, and which proceeding has been conducted and continued by this Commission under the provisions of said act; now, on reading and filing said petitions, a certified copy of the certificate of incorporation of the petitioner, verified statements of the president and secretary of the petitioner showing that it has received the required consent of the municipal authorities of the village of Sherburne; and after a public hearing held pursuant to appointment at the Capitol in the city of Albany, on the 29th day of July, 1907, Fuller & Truesdell (Mr. Truesdell) appearing in favor of said application, no one in opposition; and it appearing that said petitioner proposes to acquire the gasoline gas plant of the Sherburne Opera House and Gas Association, an unincorporated association or partnership composed of the incorporators of petitioner; and it being the opinion of this Commission that the issue of stock to the amount of seven thousand dollars to said incorporators is reasonably required for such purpose; it is

Ordered: That said application be approved and permission granted to said Sherburne Gas Company, and the Public Service Commission of the Second District hereby certifies that Sherburne Gas Company is authorized to exercise its powers, rights and privileges under a franchise granted by the village of Sherburne, Chenango county, to supply gas and to transact the business of supplying gasoline gas therein; and said Commission hereby further certifies that capital stock to the amount of seven thousand dollars ($7,000) is reasonably required for the purpose of acquiring the gasoline gas plant of Sherburne Opera House and Gas Association; and this Commission hereby consents to such issue by Sherburne Gas Company of seventy (70) shares of capital stock of the par value of one hundred dollars ($100) each; and it is further

Ordered: That said issue of stock or the proceeds thereof be devoted to the acquisition of the gasoline gas plant of the Sherburne Opera House and Gas Association as mentioned and stated in the petitions, and to no other purpose.

[Case No. 34]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 24th day of September, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of EARLVILLE ELECTRIC LIGHT COMPANY, under sections 68 and 69 of the Public Service Commissions Law, for permission to begin construction and exercise a franchise in the village of Earlville, Madison and Chenango counties; and for authority to issue ten thousand dollars ($10,000) capital stock.

The Earlville Electric Light Company, on the 8th day of July, 1907, filed with this Commission its petition under sections 68 and 69 of the Public

Service Commissions Law, (1) for permission and approval of construction in the streets, highways, avenues, lanes and public grounds of the village of Earlville, Madison and Chenango counties, of an electric wire pole line for the transmission of electricity for light, heat and power, and to exercise a franchise therefor received from said village; (2) for authority to issue ten thousand dollars ($10,000) capital stock. A hearing was set on this petition for August 12th. The petitioner did not appear by counsel, but submitted the case on the papers filed.

The Earlville company's petition shows that it is to acquire the electric plant and pole line of the Parsons Low Down Wagon Works, and the Earlville company's franchise from the village also covers the pole line of the Wagon Works now constructed. The capital stock to be issued by the Earlville company is to pay for the electric plant and pole line of the Wagon Works.

In the opinion of this Commission the use of the capital to be secured by the issue of the ten thousand dollars ($10,000) capital stock hereinafter authorized is reasonably required for the purposes of the corporation as set forth in the petition and accompanying papers, viz.: the acquisition of the existing electric light, heat and power plant and pole line, as described in the affidavit of Jacob D. Mires, verified July 6, 1907.

Upon the aforesaid petition and the accompanying papers, and after due consideration, it is

Ordered: (1) That this Commission hereby permits the Earlville Electric Light Company to begin construction under and to exercise in the village of Earlville, Madison and Chenango counties, the franchise to construct and maintain an electric wire pole line granted to said company by the municipal authorities of said village on June 25, 1907, and hereby approves of construction under said franchise.

Ordered: (2) That this Commission hereby authorizes the Earlville Electric Light Company to issue ten thousand dollars ($10,000) capital stock, divided into one hundred (100) shares of the par value of one hundred dollars ($100) each.

Ordered: (3) That the proceeds of said capital stock shall be devoted to and used for the following purposes and no other, viz.: the purchase of the electric plant and pole line of the Parsons Low Down Wagon Works in Earlville.

Ordered: (4) That said Earlville Electric Light Company make a verified report to this Commission upon the completion of the purchase of said plant and pole line setting forth the use of said capital stock as herein provided.

[Case No. 87]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of October, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of UTICA GAS AND ELECTRIC COMPANY, under section 68 of the Public Service Commissions Law, for permission to lay gas pipes in the village of Frankfort and the towns of Frankfort, German Flats, and Little Falls, Herkimer county, and to exercise franchises therefor.

The Utica Gas and Electric Company, on October 14, 1907, filed with this Commission its petition, under section 68 of the Public Service Commissions

Law, for permission to lay gas pipes in the village of Frankfort and the towns of Frankfort, German Flats, and Little Falls, Herkimer county, and to exercise rights and privileges under franchises therefor received from said village and towns.

A hearing was had upon said petition, after due notice, at the office of the Commission in the Capitol, Albany, on October 28, 1907. M. J. Brayton appearing for the petitioner. No one else appeared.

It appears from the petition and accompanying papers and from the evidence at the hearing, that the petitioner has received the required consents of the proper municipal authorities for such construction.

Upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: That, under section 68 of the Public Service Commissions Law, this Commission hereby permits and approves the laying by Utica Gas and Electric Company of gas pipes in the village of Frankfort and the towns of Frankfort, German Flats, and Little Falls, Herkimer county, and hereby permits and approves the exercise of rights and privileges for such construction conferred on said company by a franchise granted to said company August 13, 1907, by the president and board of trustees of the village of Frankfort; and by a franchise granted to said company May 1, 1907, by the town board and highway commissioner of the town of Frankfort, Herkimer county; and by a franchise granted to said company September 6, 1907, by the town board and highway commissioners of the town of German Flats, Herkimer county; and by a franchise granted to said company May 25, 1907, by the town board and highway commissioners of the town of Little Falls, Herkimer county.

[Case No. 99]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th of November, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the ROCHESTER RAILWAY AND LIGHT COMPANY, under section 68 of the Public Service Commissions Law, as to the construction of electric wire pole lines and the laying of gas pipes in the town of Irondequoit, Monroe county.

The Rochester Railway and Light Company, on October 7, 1907, filed with this Commission its petition, under section 68 of the Public Service Commissions Law, for permission to lay gas pipes and to construct electric wire pole lines in the highways and public places of the town of Irondequoit, adjoining the city of Rochester, Monroe county, for the purpose of furnishing to public and private consumers gas and electricity for light, heat and power; and for permission to exercise rights and privileges under franchises for such construction received from the town board and sole highway commissioner of said town. A public hearing, on this petition, after due notice, was held by this Commission at its office in the Capitol, Albany, on November 6, 1907. Daniel M. Beach appeared for the petitioner; no one else appeared.

From the petition and accompanying papers and from the evidence at the hearing, it appears that the portion of the town of Irondequoit which immediately adjoins the city of Rochester is well settled and that in such territory there is a public demand for the extension of this petitioner's gas

service, particularly; that in this territory and territory of the town further from the city there also is a public demand for the extension of petitioner's electric service, particularly for power to operate small electric motors in connection with machinery for pumping water; that this petitioner has ample facilities for meeting these demands, if it is permitted to exercise its rights and privileges under the franchises received from the municipal authorities; that no other corporation or person is furnishing gas or electricity in said town.

On this state of facts, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the laying of gas pipes and the construction of electric wire pole lines, in the town of Irondequoit, Monroe county, by the Rochester Railway and Light Company, and hereby permits and approves the exercise of rights and privileges for such construction and operation conferred on said company by franchises granted to said company on August 14, 1907, by the town board and by the sole highway commissioner of the town of Irondequoit, Monroe county.

[Case No. 123]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of November, 1907.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the PANAMA POWER COMPANY, under section 68 of the Public Service Commissions Law, as to the construction of electric wire pole lines, and the exercise of rights and privileges under a franchise for such construction received from the village of Panama, Chautauqua county.

The Panama Power Company, on November 11, 1907, filed with this Commission its petition, under section 68 of the Public Service Commissions Law, for permission to construct in the village of Panama, Chautauqua county, electric wire pole lines for the purpose of conducting and distributing electricity for light, heat or power, and for permission to exercise rights and privileges under a franchise for such construction received from the president and board of trustees of such village.

From the petition and accompanying papers it appears, that while an unincorporated association heretofore furnished electricity for lighting the streets and buildings in said village, such service ceased in August, last; that a majority of the persons who composed said association are stockholders in this petition; that the exercise of the franchise in question will be to the convenience of the public.

Upon this state of facts, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction of electric wire pole lines, in the village of Panama, Chautauqua county, by the Panama Power Company; and hereby permits and approves the exercise of rights and privileges for such construction conferred on said company by a franchise granted to said company on October 15, 1907, by the president and board of trustees of the village of Panama, a certified copy of which franchise is on file with this Commission.

[Case No. 129]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of December, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of MILLERTON ELECTRIC LIGHT COMPANY, under section 68 of the Public Service Commissions Law, for permission to construct and to exercise rights and privileges and franchises; and under section 69 of the Public Service Commissions Law, for authority to issue $7,500 common capital stock.

The Millerton Electric Light Company, on November 20, 1907, filed with this Commission its petition, (1) under section 68 of the Public Service Commissions Law, for permission to construct, in the village of Millerton and town of North East, Dutchess county, electric wire pole lines to furnish electricity for light, heat and power, and for permission to exercise rights and privileges under franchises for construction, operation and maintenance of such electric wire pole lines, received from the president and trustees of the village of Millerton, and from the town board and highway commissioners of the town of North East, Dutchess county; (2) for authority to issue $7,500 common capital stock.

A hearing was had upon said petition, after due notice, at the office of this Commission in the Capitol, Albany, on December 2, 1907. Dan J. Gleason appeared for the petitioner. No one else appeared.

It appears from the petition and accompanying papers and from the evidence at the hearing, that the proper municipal authorities of the village of Millerton and the town of North East have given the required consents to said construction, operation and maintenance; that the proceeds of the $7,500 common capital stock are to be used for the proper purposes of the company, to wit: the acquisition of right of way, the construction of its electric light, heat and power pole lines, for its plant, and for the extension of its distributing system, as described in an affidavit verified October 23, 1907, of H. E. Lyles, attached to the petition.

In the opinion of this Commission, from the petition and accompanying papers and evidence taken at the hearing, the use of the capital to be secured by the issue of the $7,500 common capital stock hereinafter authorized is reasonably required for the said purposes of the corporation.

Upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: (1) That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, operation and maintenance, in the village of Millerton and the town of North East, Dutchess county, of the electric light, heat and power pole lines of Millerton Electric Light Company, and hereby permits and approves the exercise of rights and privileges for such construction, operation and maintenance conferred on said company by a franchise, taking effect October 23, 1907, granted by the president and trustees of the village of Millerton, and by a franchise granted October 23, 1907, by the town board and highway commissioners of the town of North East, Dutchess county.

Ordered: (2) That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Millerton Electric Light Company to issue $7,500 common capital stock of said company of the par value of $100 per share.

Ordered: (3) That the proceeds of said $7,500 common capital stock shall be devoted by Millerton Electric Light Company to and used for the following purposes, and no other, to wit: the acquisition of right of way, the construction of its electric light, heat and power pole lines, for its plant, and for the extension of its distributing system, as described in the affidavit verified October 23, 1907, of H. E. Lyles, attached to the petition.

Ordered: (4) That said Millerton Electric Light Company shall make verified reports to this Commission, as follows: (a) Upon the sale of the common capital stock authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the expiration of each and every period of six months from the date of this order the disposition and use made of the proceeds of such capital stock, setting forth, in reasonable detail, the purposes to which such proceeds have been devoted; and that such reports shall be made until all the proceeds of such capital stock have been expended pursuant to the provisions of this order.

[Case No. 47]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of December, 1907.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of KATONAH LIGHTING COMPANY, under section 68 of the Public Service Commissions Law, as to the construction of electric wire pole lines for the furnishing of electricity, and the exercise of rights and privileges under a franchise therefor received from the town board and sole highway commissioner of the town of Bedford, Westchester county.

The Katonah Lighting Company, on October 12, 1907, field with this Commission its petition, under section 68 of the Public Service Commissions Law, for permission to construct and operate in the town of Bedford, Westchester county, electric wire pole lines for the conducting and distributing of electricity for public and private lighting and for power; and for permission to exercise rights and privileges therefor under a franchise received from the town board and sole highway commissioner of said town. Hearings were had on this petition before this Commission at its office in the Capitol, Albany, on November 6 and 26, 1907. Edward P. Barrett, esq., and J. Sheldon Frost, esq., appeared for the petitioner; Jonn J. Crennan, esq., and B. W. Stilwell, esq., appeared for the Westchester Lighting Company; George Juengst, esq., and Abram J. Miller, esq., appeared for George Juengst & Son.

From the petition and accompanying papers and from evidence at the hearing it appears that the petitioner has received the required consent of the proper municipal authorities to such construction and operation; that the franchise covers all of the highways and public places in said town outside of the limits of the incorporated village of Mount Kisco; that the petitioner proposes to erect a power house in the settlement of Katonah and to erect electric wire pole lines and to furnish electricity for public and private lighting and for power in Katonah, from Katonah to and in the settlement of Bedford by way of Cattitoe Corners, from Katonah to and in the settlement of

Bedford Station, and from Bedford Station to and in the settlement of Bedford; that George Juengst & Son now furnish electricity for light and power in the settlement of Katonah; that at Bedford Station the Westchester Lighting Company now operates a few lights; that a large number of householders residing in the town of Bedford are desirous that this petitioner be authorized to furnish electricity as proposed.

Upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction and operation by the Katonah Lighting Company of electric wire pole lines for conducting and distributing electricity in the town of Bedford, Westchester county, excepting the village of Mount Kisco and the territory between said village and Bedford Station, now afforded lighting service by the Westchester Lighting Company; and hereby permits and approves the exercise of rights and privileges for such construction conferred on said company by a franchise granted to said company June 27, 1907, by the town board and sole highway commissioner of the town of Bedford, Westchester county, a certified copy of which franchise is on file with this Commission.

[Case No. 128]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 4th day of December, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of the HUDSON RIVER ELECTRIC POWER COMPANY, for a certificate of permission and approval, under section 68 of the Public Service Commissions Law authorizing construction, and exercise of franchises respecting certain water power and storage development, electrical generating plant and transmission lines.

The Hudson River Electric Power Company, on November 16, 1907, filed with this Commission its petition for permission and approval of the construction and operation by the applicant of a storage dam, power dam and electrical power plant on the Sacandaga river, all for the purpose of generating electricity to be distributed and sold to various parties and for various uses, and for the construction and operation of transmission lines from its said generating plant to Saratoga, Ballston, Mechanicville, Troy, Albany, Watervliet, Schenectady, and Amsterdam in this State over such lines, or by such lines and others connecting therewith, now operated by the applicant, the said storage dam to be constructed about three miles above the village of Conklingville, and the said power dam and generating plant to be located at or near West's Falls, a point about four miles below Conklingville, and the said new transmission lines to run from West's Falls to Ballston, with a switchhouse and connecting line to Spier Falls, from Ballston to pole No. 166, a point of intersection with existing lines from Mechanicville, Watervliet, Troy, and Albany, and from Ballston to Schenectady, and various incidental construction as particularly described in the revised plans and estimates filed herein; and it appearing from the petition and papers on file that consents have been obtained by the applicant from the proper municipal authori-

ties, and that the applicant intends in good faith to begin the construction and operate under its franchises; now, upon due consideration of the petition and accompanying papers, including the revised plans filed by the applicant, and after investigation of the matters and things involved herein, it is

Ordered: That under section 68 of the Public Service Commissions Law the permission and approval of this Commission be and is hereby granted to the applicant, the Hudson River Electric Power Company, for its purposes as an electrical corporation, for the construction and operation of a timber and earth embankment storage dam on the Sacandaga river, about three miles above Conklingville, in this State, with pond level of 14 feet and elevation of 730 feet above tide water; the construction and operation of a masonry dam and earth embankment for power purposes on the Sacandaga river, about four miles below Conklingville, with elevation of 716 feet above tide water, together with the construction and operation of penstocks, power house and tail-race; the installation and operation of water wheels, generators, transformers, and other necessary machinery; the construction and operation of a steel tower electrical transmission line from West's Falls power station to Ballston, with a connecting line to Spier Falls; the construction and operation of a switch house at the point where the Spier Falls connecting line leaves the line from West's Falls to Ballston; the construction and operation of a brick and concrete sub-station at Ballston, together with necessary apparatus; the construction and operation of a steel tower electrical transmission line from Ballston to pole No. 166; the construction and operation of a brick and concrete sub-station at Watervliet, together with necessary apparatus; and the construction and operation of a steel tower electrical transmission line from Ballston to Schenectady.

[Case No. 30]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of December, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the SCHAGHTICOKE ELECTRIC COMPANY of Hoosick Falls, N. Y., under section 68 of the Public Service Commissions Law, for permission to construct and to exercise rights and privileges under franchises.

The Schaghticoke Electric Company, on September 16, 1907, filed with this Commission its petition, under section 68 of the Public Service Commissions Law, for permission to construct and maintain, in the counties of Rensselaer, Saratoga and Schenectady, electric wires and supporting towers for the transmission of electric current, and for permission to exercise rights and privileges under franchises for such construction and maintenance, received from the town boards of the towns of Schaghticoke, Rensselaer county; Half Moon and Clifton Park, Saratoga county; and Glenville and Niskayuna, Schenectady county.

A hearing was had upon said petition, after due notice, at the office of this Commission in the Capitol, Albany, on September 30, 1907. James O. Carr, esq., appeared for the petitioner; Jarvis P. O'Brien, esq., appeared for the Boston and Maine Railroad; Marvin Fellows, esq., appeared in person; F. P. Smith, esq., appeared in person; George Smith, esq., appeared in person.

From the petition and accompanying papers and from the evidence at the hearing, it appears that the proper municipal authorities of the towns above named have given the required consents to said construction and maintenance; that the electric wires and supporting towers for the transmission of electric current are to be constructed mainly on private right of way; that the franchise in the town of Schaghticoke permits the construction and maintenance of such transmission lines across the highways in some instances, and upon, along, over or under highways and public places in other instances; that the franchises in the towns of Half Moon and Clifton Park, and Glenville and Niskayuna are to cross highways, only, the franchises in Glenville and Niskayuna providing specifically that the transmission lines may be either above or below the surface of the highway.

It also appears from the papers and evidence at the hearing that it is the intention of the company to construct in the Hoosick river a dam (to provide a storage reservoir) at Johnsonville, Rensselaer county, where there will also be a small power house plant, and to provide a storage reservoir above the main dam at Schaghticoke, and to construct a main dam and power house at or near the village of Schaghticoke, Rensselaer county, for the generation of electric current, some portion of which will be transmitted to the city of Schenectady.

Upon the aforesaid petition and accompanying papers and evidence taken at the hearing, and after due deliberation, it is

Ordered: (1) That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction and maintenance by the Schaghticoke Electric Company in the town of Schaghticoke, Rensselaer county; the towns of Half Moon and Clifton Park, Saratoga county; and the towns of Glenville and Niskayuna, Schenectady county; of electric wires and supporting towers for the transmission of electric current, and hereby permits and approves the exercise of rights and privileges for such construction and maintenance conferred on said company by a franchise granted September 5, 1907, by the town board of the town of Schaghticoke, Rensselaer county; by a franchise granted September 3, 1907, by the town board of the town of Half Moon, Saratoga county; by a franchise granted September 10, 1907, by the town board of the town of Clifton Park, Saratoga county; by a franchise granted September 12, 1907, by the town board of the town of Glenville, Schenectady county; and by a franchise granted September 13, 1907, by the town board of the town of Niskayuna, Schenectady county.

Ordered: (2) That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction by the Schaghticoke Electric Company of a storage dam in the Hoosick river at Johnsonville, Rensselaer county, and of a main dam for storage and power purposes in the Hoosick river at or near the village of Schaghticoke, Rensselaer county; and the construction and operation of such power houses and distributing stations as may be required in connection with the development of said water power.

Ordered: (3) That this Commission hereby permits and approves the construction by the Schaghticoke Electric Company of its said transmission line across the Hudson river near Mechanicville, and across the Mohawk river near Schenectady.

[Case No. 140]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of December, 1907.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of SODUS GAS AND ELECTRIC LIGHT COMPANY, under section 68 of the Public Service Commissions Law, for permission to construct extensions of its electric wire pole lines for the supplying of electricity, and to exercise rights and privileges received from municipal authorities.

The Sodus Gas and Electric Light Company, on December 2, 1907, filed with this Commission its petition, under section 68 of the Public Service Commissions Law, for permission to construct in the towns of Williamson and Ontario, Wayne county, the town of Webster, Monroe county, and the village of Webster, Monroe county, extensions of the petitioner's electric wire pole lines, for supplying electricity for light, heat and power for public and private use; and for permission to exercise rights and privileges therefor under franchises received from the municipal authorities of said towns and village.

A hearing, after due notice, was had upon this petition before this Commission at its office in the Capitol, Albany, on December 17, 1907. H. O. Button, esq., appeared for the petitioner. No one else appeared.

From the petition and accompanying papers and from evidence taken at the hearing, it appears that the petitioner has received the required consents of the proper municipal authorities to such construction for said purpose; that each of the franchises is for a limited period; that each of the franchises also authorize this company to lay gas pipes to supply gas for light, heat and power, but that the company does not intend to lay gas pipes or supply gas; that the franchise in the town of Williamson covers all the highways and public places of the town: that the franchise in the town of Ontario covers all the highways and public places of the town; that the franchise in the town of Webster covers all the highways and public places of the town, except those covered by a franchise previously granted to another company; that the franchise in the village of Webster covers all the streets and public places of the village.

On the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction by Sodus Gas and Electric Light Company of electric wire pole lines for supplying electricity for light, heat and power for public and private uses in the towns of Williamson and Ontario, Wayne county; the town of Webster, Monroe county, and the village of Webster, Monroe county; and hereby permits and approves the exercise of rights and privileges for such construction conferred on said company by a franchise granted to said company June 5, 1905, by the town board of the town of Williamson, Wayne county; and by a franchise granted to said company March 19, 1907, by the town board of the town of Ontario, Wayne county; and by a franchise granted to said company September 26, 1907, by the town board of the town of Webster, Monroe county; and by a franchise granted to said company September 28, 1907, by the president and board of trustees of the village of Webster, Monroe county; certified copies of which franchises are on file with this Commission.

[Case No. 74]

STATE OF NEW YORK.
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of December, 1907.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the LOCKPORT LIGHT, HEAT AND POWER COMPANY, for a certificate of authority permitting it to exercise its powers and transact the business set forth in the certificate of incorporation;

In the matter of the Petition of the LOCKPORT LIGHT, HEAT AND POWER COMPANY, for permission to execute a mortgage to secure an issue of $600,000 five per cent. thirty-year gold bonds and for authority to issue $600,000 capital stock;

In the matter of the Petition of the LOCKPORT GAS AND ELECTRIC LIGHT COMPANY, for permission to transfer its franchises and property to the LOCKPORT LIGHT, HEAT AND POWER COMPANY;

In the matter of the Petition of the ECONOMY LIGHT, FUEL AND POWER COMPANY, for permission to transfer its franchises and property to the LOCKPORT LIGHT, HEAT AND POWER COMPANY.

These petitions were filed with the former Commission of Gas and Electricity. They were not acted on by that Commission and came before this Commission and were heard as new proceedings. The hearings were held on July 15th in Albany and July 25th in Lockport. Philbin, Beekman & Menken and Clarence Lexow appeared for the petitioners; David Tice also appeared for the Economy Light, Fuel and Power Company; William H. Baker and Abner T. Hopkins for the city of Lockport; W. F. Mackey and Norman D. Fish for the Attorney-General; J. Frank Smith for Howard M. Whitbeck.

The Lockport Light, Heat and Power Company proposes to acquire the property and franchises of the Lockport Gas and Electric Light Company and the Economy Light, Fuel and Power Company of Lockport, and said companies have consented to such acquisition. The Lockport Light, Heat and Power Company was incorporated on May 29, 1907, and has no plant or franchises of its own; it proposes to issue to each of the other companies named a certain amount of its stock and a certain amount of its bonds in payment for the property and franchises of each of said companies.

In the opinion of this Commission, the use of the capital to be secured by the Lockport Light, Heat and Power Company through the issue of the amount of capital stock and the amount of bonds hereinafter authorized is reasonably required for the said purposes of the corporation, namely: the acquisition of the property of the Lockport Gas and Electric Light Company and the Economy Light, Fuel and Power Company, and the improvements to said property described in the petition.

The said Lockport Light, Heat and Power Company has filed with this Commission a schedule of the prices now charged by the Lockport Gas and Electric Light Company, with a stipulation that said prices are reasonable and that it will not at any time increase said prices without the consent of this Commission, said stipulation having been required as a condition precedent to the granting of this order.

The said Lockport Light, Heat and Power Company filed with this Commission on the 20th day of December, 1907, a supplemental petition requesting that it be given permission to increase the total amount of its five per centum thirty-year gold bonds hereinafter mentioned and the mortgage securing the same, from the sum of $600,000 to the sum of $750,000, and that said bonds, or any part thereof, may be redeemable on any interest payment date at par and accrued interest, and that whenever the said company shall redeem any of the said bonds and cancel the same, it shall thereupon be authorized to issue an equivalent amount, par value, of its capital stock in payment therefor or to provide money to retire said bonds. It is, therefore,

Ordered: That the Lockport Light, Heat and Power Company is hereby granted authority to exercise its powers, rights and privileges and transact the business set forth in its certificate of incorporation, and to exercise all the rights and privileges under the franchises to be acquired by it from the Lockport Gas and Electric Light Company and the Economy Light, Fuel and Power Company, as hereinafter set forth; that the Lockport Light, Heat and Power Company is hereby given permission to execute a mortgage to secure an issue of seven hundred and fifty thousand dollars five per centum thirty-year gold bonds, redeemable on any interest payment date at par and accrued interest; that the Lockport Gas and Electric Light Company and the Economy Light, Fuel and Power Company are hereby given permission to transfer their franchises and property to the Lockport Light, Heat and Power Company, and to receive for the same one hundred and fifty thousand dollars of the capital stock of the Lockport Light, Heat and Power Company, and five hundred and fifty thousand dollars of said five per centum thirty-year gold bonds; that the said Lockport Light, Heat and Power Company is hereby authorized to issue its said capital stock to the amount of one hundred and fifty thousand dollars, and no more, until further permit of this Commission; provided, however, that whenever it shall redeem any of its said five per centum thirty-year gold bonds and cancel the same, it shall be thereupon authorized to issue an equivalent amount, par value, of its capital stock in payment therefor or to provide money to retire the said bonds; that of said five hundred and fifty thousand dollars gold bonds, three hundred thousand dollars shall be retained by said Lockport Light, Heat and Power Company and utilized to retire the bonded indebtedness amounting to three hundred thousand dollars of the Lockport Gas and Electric Light Company, and two hundred and fifty thousand dollars of said bonds shall be turned over to the Economy Light, Fuel and Power Company in exchange for its property and franchises; that the one hundred and fifty thousand dollars of capital stock hereinbefore referred to shall be turned over to said Lockport Gas and Electric Light Company and said Economy Light, Fuel and Power Company in such proportions as may be agreed upon between the Lockport Light, Heat and Power Company and the two vendor companies; that said property shall be transferred to said Lockport Light, Heat and Power Company free of all lien or debt except as to three hundred thousand dollars of mortgage bonds now covering the property of the Lockport Gas and Electric Light Company; that said Lockport Light, Heat and Power Company is hereby given authority to issue fifty thousand dollars additional of said five per centum thirty-year gold bonds for the purpose of carrying out improvements estimated to cost said sum and described in the petition of the Lockport Light, Heat and Power Company; and that said company shall issue no additional bonds until further permit of this Commission.

APPENDIX D.

Orders Granted under Section 69, Public Service Commissions Law.

Permits to Issue Stocks, Bonds, and Other Evidences of Indebtedness by Gas and Electrical Corporations.

APPENDIX D.

[Case No. 5]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, N. Y., on the 21st day of August, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of the NEWBURGH LIGHT, HEAT AND POWER COMPANY for leave to increase its capital stock from $500,000 to $750,000, and to classify the capital stock so increased into $500,000 of common stock and $250,000 of eight per cent. cumulative preferred stock.

On reading the petition of the Newburgh Light, Heat and Power Company, filed June 14, 1907, for authority to increase its capital stock from five hundred thousand dollars ($500,000) to seven hundred fifty thousand dollars ($750,000), and to classify the capital stock so issued as five hundred thousand dollars ($500.000) common stock and two hundred fifty thousand dollars ($250,000) eight per cent. cumulative preferred stock. the proceeds of said issue of preferred stock to be used for construction and improvements and discharge of floating debt as specified in its petition; and hearing having been duly had upon said petition at the office of the Commission in Albany, July 29, 1907, Mr. John L. Wilkie appearing for the petitioner; and the Commission having made and filed a decision herein on the date hereof, which said decision is hereby referred to and made a part of this order, it is thereupon

Ordered: That the petition in this proceeding be and is hereby denied.

[Case No. 6]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, N. Y., on the 21st day of August, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of ROCKLAND LIGHT AND POWER COMPANY of Nyack, Rockland county, N. Y., for leave to issue general mortgage, five per cent. thirty-year gold bonds to the amount of five hundred thousand dollars ($500.000) out of a total authorized issue of one million dollars ($1,000,000).

The Rockland Light and Power Company, on the 15th day of June, 1907, filed with the former Commission of Gas and Electricity its petition

for consent to increase its bonded indebtedness from three hundred thousand dollars ($300,000) to five hundred thousand dollars ($500,000) by the issue of five hundred (500) bonds of the par value of one thousand dollars ($1,000) each, secured by a general mortgage or deed of trust covering all the properties or property now held or to be acquired, said mortgage being given to secure one million dollars ($1,000,000) of general mortgage, five per cent. thirty-year gold bonds. No final action was taken upon said petition by said former Commission of Gas and Electricity. It came before this Commission for determination, and a hearing was had upon said petition at the office of the Commission in the Capitol in the city of Albany on the 15th day of June, 1907.

Davies, Stone & Auerbach, Mr. Charles H. Tuttle of counsel, appeared for the petitioner, and evidence was taken regarding the matters set forth in the petition and the papers thereunto annexed.

In the opinion of this Commission the use of the capital to be secured by the issue of the five hundred thousand dollars ($500,000) of bonds, hereinafter authorized, is reasonably required for the purposes of the corporation as set forth in the petition and accompanying papers, viz.: extensions and improvements of its plant and distributing system and the lawful refunding of its obligations as described in a certified copy of a resolution of the board of directors of the petitioner adopted June 12, 1907, attached to the said petition.

Upon the aforesaid petition and the accompanying papers with the same and the evidence taken at said hearing, and after due consideration, it is

Ordered: (1) That this Commission hereby authorizes Rockland Light and Power Company to make and execute and deliver to some proper trustee to be selected by said company a general mortgage upon all of its property and franchises now owned or hereafter to be acquired, with the rents, issues, income and profits thereof, to secure payment of a series of consolidated mortgage thirty-year five per cent. gold bonds to the aggregate amount of one million dollars ($1,000,000), principal bearing interest at the rate of five per cent. per annum.

Ordered: (2) That this Commission hereby authorizes said Rockland Light and Power Company to issue thirty-year gold bonds bearing interest at the rate of five per cent. per annum to the amount of five hundred thousand dollars ($500,000), to be secured by the aforesaid mortgage, each of said bonds to be of the denomination of one thousand dollars ($1,000).

Ordered: (3) That the proceeds of said bonds be devoted to and used for the following purposes and no other, viz.: three hundred thousand dollars ($300,000) to retire an equal amount of five per cent. forty-year bonds of the petitioner which mature November 1, 1941, and the remainder of said proceeds in payment for extensions and betterments of the company's property already ordered and contracted for including indebtedness incurred for payments made thereon as specified and described in a certified copy of a resolution of the board of directors of the petitioner adopted June 12, 1907, and attached to the petition herein, and for additional betterments and extensions described in said petition.

Ordered: (4) That said Rockland Light and Power Company make verified reports to this Commission as follows: (a) Upon the sale of said bonds or any part thereof the fact of such sale and the amount for which said bonds were sold; (b) at the termination of each and every period of three months after the making of this order the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes for which said proceeds were used. Said reports shall be made until all the proceeds of said bonds shall have been expended or used pursuant to the provisions of this order.

[Case No. 110]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, N. Y., on the 10th day of September, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of JAMESTOWN LIGHTING AND POWER COMPANY for authority to issue twenty-eight (28) five (5) per cent. bonds of the par value of five hundred dollars ($500) each, being an aggregate amount of fourteen thousand dollars ($14,000).

The Jamestown Lighting and Power Company, on the 10th day of September, 1907, filed with this Commission its petition for authority to issue twenty-eight (28) five (5) per cent. bonds of the par value of five hundred dollars ($500) each, being an aggregate amount of fourteen thousand dollars ($14,000), under a mortgage dated September 1, 1902, in the aggregate amount of one hundred thousand dollars ($100,000). It appears from the petition that there is now outstanding under said mortgage, bonds to the aggregate amount of fifty-six thousand dollars ($56,000).

In the opinion of this Commission the use of the capital to be secured by the issue of the twenty-eight (28) bonds, hereinafter authorized to be issued, is reasonably required for the purposes of the corporation as set forth in the petition and the affidavit attached thereto of Frank W. Bullock, viz.: additions and betterments to the petitioner's plant in the city of Jamestown, said affidavit setting forth in detail such additions and betterments and the cost thereof.

Upon the petition and papers attached, and after due consideration, it is

Ordered: That this Commission hereby authorizes Jamestown Lighting and Power Company to issue twenty-eight (28) five (5) per cent. bonds of the par value of five hundred dollars ($500) each, being an aggregate amount of fourteen thousand dollars ($14,000), under a mortgage dated September 1, 1902, in the aggregate amount of one hundred thousand dollars ($100,000).

[Case No. 86]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of October, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of NEWPORT ELECTRIC LIGHT AND POWER COMPANY, under section 68, Public Service Commissions Law, for permission to construct extensions of its electric light, heat and power pole line; and under section 69, Public Service Commissions Law, for authority to issue a mortgage for $75,000 and to issue $60,000 bonds to be secured by said mortgage.

The Newport Electric Light and Power Company, on July 9, 1907, filed with this Commission its petition for authority to issue $50,000 mortgage

bonds. It subsequently withdrew this petition and filed with this Commission its petitions: (1) under section 68 of the Public Service Commissions Law, for permission to construct, and exercise rights and privileges under franchises for, extensions of its electric light, heat and power pole line from Newport to and in the villages of Poland and Cold Brook, Herkimer county; (2) for authority to make and execute a mortgage for $75,000 and to issue $65,000 bonds to be secured by said mortgage. A hearing upon these petitions was held at the office of the Commission in the Capitol, Albany, on August 13, 1907. L. C. Whiton appeared for the petitioner, and evidence was taken regarding the matters set forth in the petition and papers. After amendments, this application is now: (1) under section 68 of the Public Service Commissions Law, for permission to construct, and exercise rights and privileges under franchises for, an electric light, heat and power pole line in the town of Newport, and in the village of Poland, Herkimer county; (2) for authority to make and execute a mortgage for $75,000 and to issue $60,000 bonds to be secured by said mortgage.

It appears from the petition and accompanying papers and from the evidence at the hearing, that the proper municipal authorities of the town of Newport and of the village of Poland have given the required consents to said construction; that the mortgage is for a proper amount, and that the $60,000 bonds to be issued under the mortgage are to be used for the proper purposes of the company, to wit: construction of extensions of its electric light, heat and power pole line; the extension and improvement of its plant and distributing system; improvement and maintenance of its service; and the lawful refunding of its obligations; as described in the petition, and the affidavit of Joseph Baird Crane.

In the opinion of this Commission, from the papers filed and the evidence at the hearing, the use of the capital to be secured by the issue of the $60,000 bonds hereinafter authorized is reasonably required for the said purposes of the corporation.

Upon the aforesaid petition and accompanying papers, and the evidence taken at the hearing, and after due deliberation, it is

Ordered: (1) That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction in the town of Newport and village of Poland, Herkimer county, of extensions of the electric light, heat and power pole line of the Newport Electric Light and Power Company, and hereby permits and approves the exercise of rights and privileges for such construction conferred on said company by a franchise granted by the town board of the town of Newport, Herkimer county, and by a franchise from the village of Poland, Herkimer county, ratified in said company by the president and trustees of said village.

Ordered: (2) That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Newport Electric Light and Power Company to make, execute and deliver to some proper trustee to be selected by said company, a mortgage upon all of its property and franchises now owned or hereafter to be acquired, with the rents, issues, income and profits thereof, to secure the payment of a series of six per cent. thirty-year bonds to the aggregate amount of $75,000.

Ordered: (3) That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Newport Electric Light and Power Company to issue thirty-year bonds, bearing interest at the rate of six per cent., to the amount of $60,000 to be secured by the aforesaid mortgage, and that the remaining $15,000 bonds, or any part thereof, under said mortgage shall not be issued without the further order of this Commission.

Ordered: (4) That the proceeds of said $60,000 bonds shall be devoted to and used for the following purposes and no other, viz.: $15,000 to retire an equal amount of bonds secured by a mortgage now outstanding, and the remainder of said proceeds in payment for construction of extensions of said company's electric light, heat and power pole line to and in the town of Newport and the village of Poland; the extension and improvement of its

plant and distributing system; and the improvement and maintenance of its service; as described in the petition, and the affidavit of Joseph Baird Crane.

Ordered: (5) That said Newport Electric Light and Power Company shall make verified reports to this Commission as follows: (a) Upon the retirement of said $15,000 bonds, or any part thereof, the fact of such retirement and the terms and conditions thereof; (b) upon the sale of the bonds authorized by this order, or any part of said bonds, the fact of such sale, the terms and conditions of such sale and the amount realized therefrom; (c) at the termination of each and every period of 60 days from the date of this order, the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes to which such proceeds have been devoted; and that such reports shall be made until all the proceeds of said bonds have been expended or used pursuant to the provisions of this order.

[Case No. 89]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of October, 1907.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of DUTCHESS LIGHT, HEAT AND POWER COMPANY OF RHINEBECK, N. Y., under section 68 of the Public Service Commissions Law, for permission to construct extensions of its electric light, heat and power pole line; and under section 69 of the Public Service Commissions Law, for authority to issue $20,000 capital stock.

The Dutchess Light, Heat and Power Company of Rhinebeck, N. Y., on June 4, 1907, filed with the former Commission of Gas and Electricity its petition for authority to issue $20,000 capital stock, which petition was not passed upon by that Commission. On August 12, 1907, petitioner filed with this Commission a petition under section 69 of the Public Service Commissions Law for authority to issue $20,000 capital stock, on which a hearing was held on said date at the office of the Commission in the Capitol, Albany. It appeared at this hearing that the petitioner proposes to extend its electric light, heat and power pole line, and evidence in relation thereto was taken. On August 16, 1907, it filed with this Commission a supplemental petition: (1) under section 68 of the Public Service Commissions Law for permission to construct and exercise rights and privileges under franchises for extensions of its electric light, heat and power pole line from the town of Rhinebeck into the town of Red Hook on the north, and from the town of Rhinebeck into the town of Hyde Park on the south, all in Dutchess county; (2) for authority to issue $20,000 capital stock, thereby increasing its capital stock from $40,000 to $60,000.

It appears from the petitions and accompanying papers and from the evidence at the hearing, that the proper municipal authorities of the towns of Red Hook and Hyde Park have given the required consents to such construction; that the proceeds of the $20,000 capital stock are to be used for the proper purposes of the company, to wit: the acquisition of land, construction of extensions of its electric light, heat and power pole line; the improvement of its distributing system; and the improvement of its power house plant as

described in schedule C and the affidavit of John C. Lott attached to the petition dated August 9. 1907, and in the evidence taken at the hearing; that the total cost of such work is estimated to be $20,139.89; that none of the proceeds of this stock issued are to be used for work in the town of Red Hook.

In the opinion of this Commission, from the petition and accompanying papers, and evidence taken at the hearing, the use of the capital to be secured by the issue of the $20,000 capital stock hereinafter authorized is reasonably required for the said purposes of the corporation.

Upon the aforesaid petition and accompanying papers, and the evidence taken at the hearing, and after due deliberation, it is

Ordered: (1) That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction in the towns of Red Hook and Hyde Park, Dutchess county, of extensions of the electric light, heat and power pole line of Dutchess Light, Heat and Power Company of Rhinebeck, N. Y., and hereby permits and approves the exercise of rights and privileges for such construction conferred on said company by a franchise granted November 7, 1901, by the town board of the town of Red Hook, Dutchess county, and by a franchise granted June 24, 1907, by the town board of the town of Hyde Park, Dutchess county, and by consents from the highway commissioners of both of said towns.

Ordered: (2) That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Dutchess Light, Heat and Power Company of Rhinebeck, N. Y., to issue $20,000 capital stock of the par value of $50 per share, the total capital stock of said company being thereby increased to $60,000, of the par value of $50 per share.

Ordered: (3) That the proceeds of said $20,000 capital stock shall be devoted to and used for the following purposes, and no other, to wit: the acquisition of land; the construction of extensions of the petitioner's electric light, heat and power pole line; the improvement of its distributing system and the improvement of its power house plant; as set forth in Schedule C and the affidavit of John C. Lott attached to the petition dated August 9, 1907.

Ordered: (4) That said Dutchess Light, Heat and Power Company of Rhinebeck, N. Y., shall make verified reports to this Commission as follows: (a) Upon the sale of the capital stock authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale and the amount realized therefrom; (b) at the termination of each and every period of 60 days from the date of this order, the disposition and use made of the proceeds of such capital stock, setting forth in reasonable detail the purposes to which such proceeds have been devoted; and that such reports shall be made until all the proceeds of such capital stock have been expended pursuant to the provisions of this order.

[Case No. 40]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of November, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition and Supplemental Petition of the NASSAU LIGHT AND POWER COMPANY, under section 69 of the Public Service Commissions Law, as to issue of capital stock and issue of mortgage bonds; and under section 70 of the Public Service Commissions Law, as to issue of mortgage.

The Nassau Light and Power Company, on September 21, 1907, filed with this Commission its petition, under section 69 of the Public Service Commissions Law, (1) for authority to issue $538,200 common capital stock, and (2) for authority to issue $1,000,000 mortgage bonds. A hearing on this petition was held by the Commission at its office in the Capitol at Albany on September 30, 1907, at which William W. Cook appeared for the petitioner. Subsequently, a supplemental petition under section 69 of the Public Service Commissions Law was filed, asking the Commission to authorize the issuance of a mortgage for $1,000,000, and under section 70 of the Public Service Commissions Law asking the Commission to consent to such transfer of franchise and property as would be affected by the execution and delivery of said mortgage. A further hearing on the original petition, and on the supplemental petition, was held by the Commission in Albany on October 23, 1907, at which Mr. Cook again appeared for the petitioner.

It appears from the petition and accompanying papers and from the evidence at the hearing, that the authorized capital stock of the petitioner is $1,500,000; that of this, it has lawfully issued and has now outstanding $431,000, on which no dividend has been paid; that it has outstanding (for moneys actually advanced to said company and expended by it in and about its business) certain notes issued in 1904 and now past due, the total indebtedness upon which on October 1, 1907, was $538,000; that the holders of these notes have agreed to take capital stock of the petitioner to the amount of $538,200 at par in payment of said indebtedness.

It further appears from the petition and accompanying papers and from the evidence at the hearing, that the petitioner has no mortgage outstanding except one for $250,000 given to secure certain other notes of the petitioner; that no bonds have been issued under this mortgage and that the petitioner will discharge the same when said notes are paid; that said notes will be paid out of the proceeds of the bonds authorized by this order which are to be secured by a new mortgage of the petitioner also authorized by this order; that the petitioner asks new authority of this Commission to issue a general first lien mortgage for $1,000,000 upon all its assets and franchises, and authority to issue $600,000 twenty-year gold bonds bearing interest at the rate of 5 per cent. per annum, to be secured by said mortgage, the remaining $400,000 bonds not to be issued without authority to be given in the future by this Commission; that said bonds for the amount of $600,000 are to be used in the first instance as collateral security for certain outstanding notes of the petitioner representing an indebtedness for betterments of $336,976.66, and for the estimated amount of $155,345 due and to become due for new construction during 1907, the total being $492,321.66; that, as soon as market conditions afford opportunity, so many of these bonds will be sold as may be sufficient to provide for the payment of said notes and

for the improvements aforesaid; that the remaining bonds of the $600,000 not necessary to be sold for the purposes aforesaid will not be sold without further authority from this Commission.

In the opinion of this Commission, from the petition and accompanying papers and evidence taken at the hearing, the use of the capital to be secured by the issue of the capital stock and the bonds hereinafter authorized, is reasonably required for the said purposes of the corporation, namely: the acquisition of property, the extension and improvement of its facilities and the discharge and lawful refunding of its obligations; therefore, it is

Ordered: (1) That the Nassau Light and Power Company be and the same is hereby authorized to issue its capital stock to the amount of $538,200, the same to be issued in full payment of indebtedness to that amount heretofore incurred for moneys actually advanced to said company and expended by it in and about its business. That the said stock be issued only and upon the full satisfaction and discharge of said indebtedness by the holders thereof, certified copies of such discharges to be filed with this Commission, together with a verified report made by the company showing in detail the amount of stock issued and indebtedness cancelled by the transaction.

Ordered: (2) That the Nassau Light and Power Company be and the same is hereby authorized to issue its bonds to the amount of $600,000 out of a total eventual issue of $1,000,000 of such bonds secured by a general first lien mortgage upon all its assets and franchises, said bonds bearing interest at the rate of 5 per cent. per annum, payable April 1st and October 1st in each year, principal payable October 1, 1927; the same being reasonably required for the purposes of said corporation as follows: For certain improvements and extensions of its plant and distributing system described in the petition the estimated cost of which is $155,345, and for the lawful refunding of its obligations to the amount of $336,976.66. That until said bonds be sold they may be issued and used as collateral security for loans to the aggregate amount of said sums, to wit: $492,321.66, and that only so many of said bonds shall be sold without the further consent and order of this Commission as are necessary in order to pay said sum of $492,321.66 principal.

Ordered: (3) That the mortgage proposed by the said company to be placed as a first lien upon all its property and franchises in the manner and form submitted by it upon its application be and the same is hereby approved and consent is given thereto, such consent, however, not in any way to be construed to dispense with the consent of stockholders of the company required by law or any other requirement imposed by law precedent to its execution and delivery.

Ordered: (4) That upon the sale of any of the bonds hereinbefore authorized the said Nassau Light and Power Company shall report under oath such sale, the terms and conditions thereof and the amount realized therefrom. That the said company shall make a verified report to this Commission at least once every six months showing in detail the use and application made by it of such moneys until such moneys shall have been fully expended.

Ordered: (5) That the supplemental petition for consent to transfer the franchises and property of said company by way of mortgage deed of trust to the Metropolitan Trust Company of the city of New York, to secure an eventual issue of $1,000,000 par value of the bonds of said company, be and the same hereby is granted.

[Case No. 46]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of December, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of KATONAH LIGHTING COMPANY, under section 69 of the Public Service Commissions Law, for authority to issue $20,000 common capital stock of the par value of $100 a share.

The Katonah Lighting Company, on October 1, 1907, filed with this Commission its petition under section 69 of the Public Service Commissions Law, for authority to issue $20,000 common capital stock of the par value of $100 a share.

Hearings were had on this petition before this Commission at its office in the Capitol, Albany, on November 6 and 26, 1907. Edward P. Barrett esq., and J. Sheldon Frost, esq., appeared for the petitioner. John J. Crennan, esq., and B. W. Stilwell appeared for the Westchester Lighting Company. George Juengst, esq., and Abram J. Miller, esq., appeared for George Juengst & Son.

From the petition and accompanying papers and from evidence at the hearings, it appears that the petitioner has received the required consent of the proper municipal authorities to construct and operate in the town of Bedford, Westchester county, electric wire pole lines for the conducting and distributing of electricity for public and private lighting, and for power; that the proceeds of the proposed increase of stock are to be used to pay the cost of construction of such lines and the petitioner's plant.

In the opinion of this Commission, the use of the capital to be secured by the issue by this petitioner of the $20,000 common capital stock hereinafter authorized is reasonably required for the purposes of the corporation as set forth in the petition and accompanying papers, and as described in the evidence at the hearing, viz.: the acquisition of property, the construction of the petitioner's plant and distributing system and the extension and improvement in the future of the petitioner's plant and distributing system, as described in an affidavit (attached to the petition herein) verified September 25, 1907, and subscribed by William H. Fowler and Edward P. Barrett, president and secretary, respectively, of the company.

Upon the aforesaid petition and accompanying papers and the evidence taken at the hearings, and after due deliberation, it is

Ordered: (1) That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Katonah Lighting Company to issue $20,000 common capital stock of said company of the par value of $100 a share.

Ordered: (2) That the proceeds of said $20,000 common capital stock shall be devoted by Katonah Lighting Company to and used for the following purposes, and no other, to wit: the acquisition of property, the construction of the petitioner's plant and distributing system, and the extension and improvement in the future of the petitioner's plant and distributing system as described in an affidavit (attached to the petition herein) verified September 25, 1907, and subscribed by William H. Fowler and Edward P. Barrett, president and secretary, respectively, of the company.

Ordered: (3) That said Katonah Lighting Company shall make verified reports to this Commission as follows: (a) Upon the sale of the $20,000

common capital stock authorized by this order, or any part thereof, the fact of such sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of such capital stock, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of such capital stock have been expended pursuant to the provisions of this order.

[Case No. 37]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 4th day of December, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of the HUDSON RIVER ELECTRIC POWER COMPANY for authority to issue 3,232 five per cent. forty-year gold bonds of the denomination of $1,000 each, under a consolidated and refunding mortgage for $30,000,000 executed by said company.

The Hudson River Electric Power Company having on May 6, 1907, filed with the former Commission of Gas and Electricity its petition for authority to issue 3,232 five per cent. forty-year gold bonds of the denomination of $1,000 each, under a consolidated and refunding mortgage for $30,000,000, executed by said company on April 24, 1907, and delivered to the Standard Trust Company of New York city as trustee on that date, and the proceedings therein undertaken by that Commission not having been concluded, and the matter coming before this Commission for determination by operation of law, and hearings in this matter having been held by this Commission at its office in the Capitol, Albany, on July 16th, and dates subsequent thereto;

And it appearing from the petition and accompanying papers and evidence at the hearings that the proceeds of the bonds to be issued are to be devoted to the acquisition of lands and water flowage rights along the Sacandaga river; the construction of a storage dam and power dam and a generating station on said river; the construction of electric wire transmission pole lines; and the construction of switch house and sub-stations; the details of the estimated cost of such construction being set forth in affidavits and plans filed by the applicant;

And it further appearing to the Commission upon the record herein that the whole number of bonds covered by the application are not reasonably required to be issued for said purposes of the applicant; but, that, upon said record, the use of the capital to be secured by an issue of 3,000 bonds of the denomination of $1,000 each under the mortgage described in the application is reasonably required for the said purposes of the corporation: that is to say, the acquisition of property, and the construction, extension and improvement of the plant and distributing system of this petitioner, as set forth in the plans filed herein;

Now, upon consideration of the petition and accompanying papers, including the revised plans filed by the applicant, and after investigation of the matters and things involved herein, it is

Ordered: (1) That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Hudson River Electric Power

Company to issue 3,000 five per cent. forty-year gold bonds of the denomination of $1,000, bearing interest at the rate of five per cent. per annum, and secured by a consolidated and refunding mortgage for $30,000,000 executed by said company April 24, 1907, and delivered to the Standard Trust Company of New York city as trustee on said date.

Ordered: (2) That the proceeds of said 3,000 bonds shall be devoted to and used by said company for its corporate purposes, as follows, and no other, viz.: to the cost of land and flowage rights in the Sacandaga valley to build a storage dam or reservoir to 730 feet above tidewater, together with cost of raising highways and bridges; to the cost of a dam and generating station at West's Falls; to the cost of a steel tower transmission line, West's Falls to Ballston, with connection to Spier Falls; to the cost of switch house at junction at Spier Falls line; to the cost of permanent sub-station and apparatus at Ballston; to the cost of steel tower line from Ballston to pole No. 166 to connect with lines to Albany and Troy; to the cost of permanent Watervliet sub-station; to the cost of steel tower transmission line from Ballston to Schenectady; all of which are more particularly described in the revised plans of the applicant on file in this proceeding.

Ordered: (3) That said Hudson River Electric Power Company shall make verified reports to this Commission as follows: (a) Upon the sale of the bonds authorized by this order to be issued, or any number of said bonds, the fact of such sale, the terms and conditions of such sale, and the amount realized therefrom; (b) at the termination of each period of six months from the date of this order, the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes to which such proceeds have been devoted; (c) that such reports shall be made until all the proceeds of said bonds have been expended or used pursuant to the provisions of this order.

[Case No. 119]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of December, 1907.

Present:
FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of ORANGE COUNTY LIGHTING COMPANY of Middletown, under section 69 of the Public Service Commissions Law, for authority to issue $40,000 in mortgage bonds under an outstanding mortgage for $300,000, dated March 1, 1905.

The Orange County Lighting Company of Middletown, on November 7, 1907, filed with this Commission its petition, under section 69 of the Public Service Commissions Law, for authority to issue $40,000 in five per cent. mortgage bonds under a mortgage for $300,000, dated March 1, 1905, issued by the petitioner.

A hearing was had upon this petition at the office of the Commission in the Capitol, Albany, on December 16, 1907, after public notice. Henry W. Wiggins appeared for the petitioner. No one else appeared.

From the petition and accompanying papers and from the evidence taken at the hearing, it appears that the petitioner has outstanding $35,000 in notes issued to pay for the acquisition by it of the plant and distributing

system of the Consumer's Electric Light and Power Company of Middletown; that the $40,000 in mortgage bonds is proposed to be issued to cancel and discharge these notes.

In the opinion of this Commission, from the petition and accompanying papers and from the evidence taken at the hearing, the use of the capital to be secured by the issue of the $40,000 in mortgage bonds hereinafter authorized is reasonably required for the said purposes of the corporation, to wit: the cancellation and discharge of its obligations, as described in the petition and evidence taken at the hearing.

Upon the aforesaid petition and accompanying papers and from the evidence taken at the hearing, and after due deliberation, it is

Ordered: (1) That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Orange County Lighting Company to issue $40,000 in mortgage bonds, bearing interest at the rate of five per cent. per annum, under a mortgage for $300,000, dated March 1, 1905, issued by the petitioner.

Ordered: (2) That said $40,000 in mortgage bonds shall be devoted by Orange County Lighting Company to and used for the following purposes, and no other, viz.: the cancellation and discharge of its obligations, to wit: $35,000 in notes now outstanding, as described in the petition and evidence taken at the hearing.

Ordered: (3) That said Orange County Lighting Company shall within thirty days from the date of this order make a verified report to this Commission, setting forth the disposition and use, according to the terms of this order, made of said $40,000 in mortgage bonds.

[Case No. 139]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of December, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of SODUS GAS AND ELECTRIC LIGHT COMPANY, under section 69 of the Public Service Commissions Law, for authority to issue $75,000 common capital stock.

The Sodus Gas and Electric Light Company, on December 2, 1907, filed with this Commission its petition, under section 69 of the Public Service Commissions Law, for authority to issue $75,000 common capital stock of the par value of $100 a share.

A hearing, after due notice, was had upon said petition before this Commission at its office in the Capitol, Albany, on December 17, 1907. H. O. Button, esq., appeared for the petitioner. No one else appeared.

From the petition and accompanying papers and from the evidence taken at the hearing, it appears that the lawfully authorized capital stock of the petitioner is $15,000, consisting of 150 shares of the par value of $100 a share, all of which is common stock and is now outstanding; that the petitioner proposes now to issue $75,000 common capital stock, consisting of 750 shares of the par value of $100 a share; that all of the stockholders of the petitioner have consented to said increase of stock; that the company proposes to construct in the towns of Sodus, Williamson, and Ontario, Wayne county, and in the town of Webster, Monroe county, and in the village of

Webster, Monroe county, extensions of its electric wire pole lines for supplying electricity for light, heat and power for public and private uses; that the proceeds of the proposed increase of stock are to be, in good faith, used by the petitioner to pay the cost of such construction.

In the opinion of this Commission, the use of the capital to be secured by the issue by this petitioner of the $75,000 common capital stock hereinafter authorized is reasonably required for the purposes of the corporation, as set forth in the petition and accompanying papers and as described in the evidence at the hearing, viz.: the extension and improvement of the petitioner's plant and distributing system, as described in the affidavit (attached to the petition herein) of George L. Colgate, verified November 22, 1907.

Upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: (1) That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Sodus Gas and Electric Light Company to issue $75,000 common capital stock of said company of the par value of $100 a share, the total capital stock of said company to be by said issue increased to $90,000.

Ordered: (2) That the proceeds of said $75,000 common capital stock shall be devoted by Sodus Gas and Electric Light Company to and used for the following purposes, and no other, to wit: the extension and improvement of the petitioner's plant and distributing system, as described in the affidavit (attached to the petition herein) of George L. Colgate, verified November 22, 1907.

Ordered: (3) That said Sodus Gas and Electric Light Company shall make verified reports to this Commission as follows: (a) Upon the sale of the $75,000 common capital stock authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale and the amounts realized therefrom; (b) at the termination of each and every period of six months from the date of this order the disposition and use made of the proceeds of such capital stock, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of such capital stock have been expended pursuant to the provisions of this order.

[Case No. 17]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of December, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of SCHAGHTICOKE ELECTRIC COMPANY OF Hoosick Falls, N. Y., under section 69 of the Public Service Commissions Law, for authority to issue a first mortgage for $1,750,000, and to issue 1,800 five per cent. twenty-five-year first mortgage bonds, one hundred of said bonds to be of the denomination of $500 each, and 1,700 of said bonds to be of the denomination of $1,000 each, said bonds to be secured by said mortgage.

The Schaghticoke Electric Company, on the 20th day of August, 1907, filed with this Commission its petition, under section 69 of the Public Service

Commissions Law, for authority to issue a first mortgage for $1,750,000, and to issue 1,800 five per cent. twenty-five-year first mortgage bonds, one hundred of said bonds to be of the denomination of $500 each and 1,700 of said bonds to be of the denomination of $1,000 each, said bonds to be secured by said mortgage.

A hearing was had on said petition at the office of the Commission in the Captitol, Albany, on the 30th day of September, 1907. James O. Carr appeared for the petitioner.

It appears from the petition and accompanying papers and from the evidence taken at the hearing, that the company proposes to construct in the vicinity of Johnsonville and Schaghticoke, Rensselaer county, dams and power houses for the utilization of the waters of the Hoosick river in the development of electric current, a portion of which is to be transmitted to Schenectady by a transmission line proposed to be constructed; that the proceeds of the proposed issue of mortgage bonds are to be used to pay, in part, the cost of such construction; that for the remainder of the cost it is proposed that capital stock shall be issued.

In the opinion of this Commission, the use of the capital to be secured by the issue by this petitioner of said first mortgage for $1,750,000, and said mortgage bonds to be secured by said mortgage, is reasonably required for the purposes of the corporation as set forth in the petition and accompanying papers, viz.: the acquisition of property, the construction of the petitioner's plant and distributing system, and the extension and improvement in the future of the petitioner's plant and distributing system, as described in affidavits (attached to the petition herein) verified August 20, 1907, and subscribed by George E. Greene, president, and H. R. Leyden, general manager, of the petitioner, and in an affidavit of H. W. Buck, verified October 8, 1907, in this proceeding.

Upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: (1) That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Schaghticoke Electric Company to make, execute and deliver to some proper trustee to be selected by said company a first mortgage upon all of its property and franchises now owned or hereafter to be acquired, with the rents, issues, income and profits thereof, to secure payment of a series of first mortgage twenty-five-year five per cent. gold bonds of the aggregate amount of $1,750,000.

Ordered: (2) That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Schaghticoke Electric Company to issue 1,800 twenty-five-year first mortgage gold bonds, one hundred of said bonds to be of the denomination of $500 each, and 1,700 of said bonds to be of the denomination of $1,000 each, said bonds to be secured by said mortgage and to bear interest at the rate of five per cent. per annum.

Ordered: (3) That the proceeds of said bonds shall be devoted by Schaghticoke Electric Company to and used for the following purposes, and no other, to wit: the acquisition of property, the construction of the petitioner's plant and distributing system and the extension and improvement in the future of the petitioner's plant and distributing system, as described in affidavits (attached to the petition herein) verified August 20, 1907, and subscribed by George E. Greene, president, and H. R. Leyden, general manager, of the petitioner, and in an affidavit of H. W. Buck, verified October 8, 1907, in this proceeding.

Ordered: (4) That said Schaghticoke Electric Company shall make verified reports to this Commission as follows: (a) Upon the sale of the $1,750,000 first mortgage bonds authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said bonds have been expended pursuant to the provisions of this order.

[Case No. 17]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of December, 1907.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of SCHAGHTICOKE ELECTRIC COMPANY of Hoosick Falls, N. Y., under section 69 of the Public Service Commissions Law, for authority to issue $470,000 capital stock.

The Schaghticoke Electric Company, on the 20th day of August, 1907, filed with this Commission its petition, under section 69 of the Public Service Commissions Law, for authority to issue $470,000 additional common capital stock.

A hearing was had on said petition at the office of the Commission in the Capitol, Albany, on the 30th day of September, 1907. James O. Carr, esq., appeared for the petitioner.

From the petition and accompanying papers and from the evidence taken at the hearing, it appears that the authorized capital stock of the petitioner is $30,000, consisting of 300 shares of the par value of $100 a share, all of which is common stock and is now outstanding; that the petitioner proposes to issue $470,000 additional common capital stock consisting of 4,700 shares of the par value of $100 a share; that all of the stockholders of the petitioner have consented to said increase; that the company proposes to construct in the vicinity of Johnsonville and Schaghticoke, Rensselaer county, dams and power houses for the utilization of the waters of the Hoosick river in the development of electric current, a portion of which is to be transmitted to Schenectady by a transmission line proposed to be constructed; that the proceeds of the proposed increase of stock are to be used to pay, in part, the cost of such construction; that for the remainder of the cost it is proposed that first mortgage bonds shall be issued.

In the opinion of this Commission, the use of the capital to be secured by the issue by this petitioner of the $470,000 common capital stock hereinafter authorized, is reasonably required for the purposes of the corporation as set forth in the petition and accompanying papers, and as described in the evidence at the hearing, viz.: the acquisition of property, the construction of the petitioner's plant and distributing system, and the extension and improvement in the future of the petitioner's plant and distributing system, as described in affidavits (attached to the petition herein) verified August 20, 1907, and subscribed by George E. Greene, president, and H. R. Leyden, general manager, of the petitioner, and in an affidavit of H. W. Buck, verified October 8, 1907, in this proceeding.

Upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: (1) That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Schaghticoke Electric Company to issue $470,000 common capital stock of said company of the par value of $100 a share, the total capital stock of said company to be by said issue increased to $500,000.

Ordered: (2) That the proceeds of said $470,000 common capital stock shall be devoted by Schaghticoke Electric Company to and used for the following purposes, and no other, to wit: the acquisition of property, the construction of the petitioner's plant and distributing system and the extension and improvement in the future of the petitioner's plant and distributing system, as described in affidavits (attached to the petition herein) verified August

20, 1907, and subscribed by George E. Greene, president, and H. R. Leyden, general manager, of the petitioner, and in an affidavit of H. W. Buck, verified October 8, 1907, in this proceeding.

Ordered: (3) That said Schaghticoke Electric Company shall make verified reports to this Commission, as follows: (a) Upon the sale of the $470,000 common capital stock authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of such capital stock, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such report shall be made until all the proceeds of such capital stock have been expended pursuant to the provisions of this order.

APPENDIX E.

Orders Granted under Sundry Sections of the Railroad Law and the Public Service Commissions Law.

Miscellaneous Applications not Otherwise Classified.

APPENDIX E.

[Case No. 3]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, N. Y., on the 19th day of August, 1907.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY, under section 54 of the Public Service Commissions Law, for authority to purchase, acquire and hold capital stock of the Syracuse, Binghamton and New York Railroad Company.

On reading the petition of The Delaware, Lackawanna and Western Railroad Company, filed August 5, 1907, under section 54 of the Public Service Commissions Law, for authority to purchase and hold such shares of the capital stock of the Syracuse, Binghamton and New York Railroad Company as the petitioning company does not now own; and after hearing said petition in Albany, August 5, 1907, Mr. F. W. Thompson appearing for the petitioner: and it appearing that the total authorized capital stock of the Syracuse, Binghamton and New York Railroad Company is two million five hundred thousand dollars ($2,500,000), all of which is outstanding, and that the petitioner owns nineteen thousand three hundred eighty-nine (19,389) shares of the par value of one hundred dollars ($100) each of such outstanding stock, leaving five thousand six hundred eleven (5,611) shares owned by others: and it further appearing that the Syracuse, Binghamton and New York railroad eaxtends from Binghamton to Geddes, near Syracuse, and while not leased to the petitioner is operated as an integral part of its system; it is, after due consideration,

Ordered: That authority be and is hereby granted to The Delaware, Lackawanna and Western Railroad Company to purchase the said five thousand six hundred eleven (5,611) shares of the capital stock of the Syracuse, Binghamton and New York Railroad Company, or from time to time any part thereof, provided, however, that the authority hereby granted may be revoked at any time as to shares not theretofore purchased and acquired pursuant to this order.

[Case No. 18]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of September, 1907.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the FONDA, JOHNSTOWN AND GLOVERSVILLE RAILROAD COMPANY, under section 103 of the Railroad Law, for approval of declaration of abandonment of the portion of the route of its street railroad in Water street in the city of Johnstown.

The Fonda, Johnstown and Gloversville Railroad Company, on the 26th day of August, 1907, filed with this Commission its petition for approval of a declaration of abandonment, duly adopted by the directors and stockholders of the petitioner, of the single track street railroad of the petitioner located in the one block of Water street in the city of Johnstown, together with the curves at either end of the block connecting with the street railroad of the petitioner in North Perry and North Market streets. A public hearing, after due notice to the mayor and by publication, upon said petition was had at the office of the Commission in the Capitol in the city of Albany on the 10th day of September, 1907.

Frank W. Burton appeared for the petitioner; no one else appeared; but there was received in evidence a certified resolution of the common council of the city asking the company to remove the track in question. By the construction of the petitioner's railroad in North Market street north of Water street, a new route was formed which rendered unnecessary the use of the Water street route, and the track therein has not been used for about four years. Upon the aforesaid petition and the evidence taken at said hearing, and after due consideration, it is

Ordered: That this Commission hereby approves the declaration of abandonment of the single track street railroad of the Fonda, Johnstown and Gloversville Railroad Company in Water street in the city of Johnstown, together with the curves connecting said single track with the street railroad of said company in North Perry and North Market streets, and that the declaration of abandonment of said track and curves, duly adopted by the board of directors and stockholders of the company, be indorsed with the approval of this Commission.

[Case No. 55]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of September, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of CHARLES E. HOUGHTALING *et al.*, being upwards of one hundred customers of the MUNICIPAL GAS COMPANY of the city of Albany, *against* said company as to the illuminating power, purity, pressure and price of gas supplied by said company; and

In the matter of the Complaint of the MAYOR OF THE CITY OF ALBANY *against* ALBANY ELECTRIC ILLUMINATING COMPANY and MUNICIPAL GAS COMPANY as to the price charged for electricity furnished.

These complaints were heard by the former Commission of Gas and Electricity, but were not concluded. They were transmitted to this Commission under the statute.

On this date Arthur L. Andrews, corporation counsel of the city of Albany, representing complainants in both matters, and Neile F. Towner, representing the companies, appeared before the Commission. Mr. Andrews requested that the complaints be discontinued, inasmuch as said companies have complied with the provisions of chapters 152 and 227 of the laws of 1907, reducing the price of electric current and gas, and regulating the quality and pressure of gas. Upon this state of facts, it is

Ordered: That these proceedings be discontinued.

[Case No. 56]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of September, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of CHARLES E. HOUGHTALING *et al.*, being upwards of one hundred customers of the MUNICIPAL GAS COMPANY of the city of Albany, *against* said company as to the illuminating power, purity, pressure and price of gas supplied by said company; and

In the matter of the Complaint of the MAYOR OF THE CITY OF ALBANY *against* ALBANY ELECTRIC ILLUMINATING COMPANY and MUNICIPAL GAS COMPANY as to the price charged for electricity furnished.

These complaints were heard by the former Commission of Gas and Electricity, but were not concluded. They were transmitted to this Commission under the statute.

On this date Arthur L. Andrews, corporation counsel of the city of Albany, representing complainants in both matters, and Neile F. Towner, representing the companies, appeared before the Commission. Mr. Andrews requested that the complaints be discontinued, inasmuch as said companies have complied with the provisions of chapters 152 and 227 of the laws of 1907, reducing the price of electric current and gas, and regulating the quality and pressure of gas. Upon this state of facts, it is

Ordered: That these proceedings be discontinued.

[Case No. 43.]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of TROY GAS COMPANY, under section 70 of the Public Service Commissions Law, as to the formal transfer to the petitioner of seventy-six (76) shares of the capital stock of Beacon Electric Company of Lansingburgh, now owned by the petitioner.

The Troy Gas Company, which company produces and sells gas and electricity, on September 27, 1907, filed with this Commission its petition for authority to formally transfer to its own name seventy-six (76) shares of the capital stock of Beacon Electric Company of Lansingburgh, which company produces and sells electricity.

The capital stock of the Beacon company is one hundred thousand dollars ($100,000), divided into one thousand (1,000) shares. Prior to January, 1905, the petitioner acquired all of this stock, nine hundred twenty-four (924) shares being transferred to the name of the petitioner and seventy-six (76) shares being allowed to remain in the names of seven (7) persons to qualify them as directors. Petitioner now desires to transfer these seventy-six (76) shares to its own name. Copy of this petition was served on the Beacon Electric Company, but no appearance has been entered by it.

Upon the aforesaid petition and the accompanying papers, after due consideration, it is

Ordered: That this Commission hereby authorizes the Troy Gas Company to formally have transferred to its own name seventy-six (76) shares of the capital stock of the Beacon Electric Company of Lansingburgh, which shares are now owned by the Troy Gas Company.

[Case No. 32]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a meeting of the Public Service Commission of the Second District of the State of New York, held at the Capitol, in the city of Albany, on the 3rd day of October, 1907.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of AUBURN AND SYRACUSE ELECTRIC RAILROAD COMPANY for consent of the Public Service Commission to cross the tracks of the Lehigh and New York Railroad Company and Lehigh Valley Railroad Company, as provided by section 2, chapter 239 of the laws of 1893.

An application by written petition, verified September 23, 1907, being made to this Commission by the Auburn and Syracuse Electric Railroad Company, a domestic street surface railroad corporation, for the written consent of this Commission pursuant to section 2, chapter 239 of the laws of 1893, for a temporary crossing at grade by the railroad of said petitioner over the railroad and tracks of the Lehigh and New York Railroad Company and Lehigh Valley Railroad Company in Genesee street in the city of Auburn, N. Y.; and it appearing by said petition and the papers presented therewith that the petitioner has instituted in the Supreme Court proceedings for a permanent crossing at the place above mentioned, pursuant to the provisions of section 12 of the Railroad Law, and that an answer has been interposed in said proceedings, and the issues thus raised referred to a referee to hear and determine the same; and it further appearing that an order for a temporary crossing at the point aforesaid has been made by the Supreme Court at a special term held in the city of Rochester on the 26th day of August, 1907, pursuant to chapter 239 of the laws of 1893; now, upon motion of William Nottingham, of counsel for the petitioner, it is

Ordered: That the written consent of this Commission be and the same hereby is granted, pursuant to the provisions of section 2 of chapter 239 of the laws of 1893, to said Auburn and Syracuse Electric Railroad Company to lay its tracks at grade over the tracks of the Lehigh and New York Railroad Company and the Lehigh Valley Railroad Company in Genesee street in the city of Auburn, N. Y., but upon the following terms and conditions in addition to those prescribed in said order of the Supreme Court, all of which the said Auburn and Syracuse Electric Railroad Company is ordered and directed strictly to observe:

1. That the manner of constructing said crossing and the character of said construction shall be subject to the direction and supervision of this Commission, plans therefor to be submitted prior to making such crossing.

2. That the petitioner construct, install, and maintain in its own tracks on both sides of the tracks of the Lehigh and New York Railroad Company derailing devices of a pattern approved by this Commission, such derailers to be opened on both sides of the defendants' tracks after the passage of each car and to be kept continuously open when petitioner's cars are not actually passing over the same.

3. That the petitioner construct, install, and maintain an approved trolley trough over its trolley wires from the right of way limits of the Lehigh and New York Railroad Company on the east to said right of way limits on the west, to prevent the trolley of the petitioner's cars from slipping off the trolley wire, the consequent loss of power while crossing the defendants' tracks and the stopping of its cars on the tracks of the defendants.

4. That the petitioner construct, install, and maintain approved guard wires under the telegraph and telephone wires of the defendants at said crossing, to prevent defendants' wires from dropping on the trolley and feed wires of the petitioner.

[Case No. 57]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of October, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of NITRO POWDER COMPANY *against* NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

This complaint by the Nitro Powder Company against New York Central and Hudson River Railroad Company was filed with this Commission on September 23, 1907. It alleged that the company refused to accept shipments from complainant at the Port Ewen station on the West Shore railroad, lessor. The company satisfied the complaint, and complainant expressed itself as satisfied. It is, therefore,

Ordered: That the complaint is hereby dismissed.

[Case No. 76]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of October, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of JOHN A. CONNOLLY *against* THE PULLMAN COMPANY, as to fare charged.

On August 8, 1907, John A. Connolly of Cold Spring-on-Hudson, filed with this Commission a complaint that The Pullman Company charged fifty cents for a seat in a parlor car on the New York Central and Hudson River railroad from New York city to Cold Spring-on-Hudson, a distance of fifty-two miles; whereas, it charged but twenty-five cents for a similar seat from New York city to Brewster on the New York and Harlem railroad (leased to and operated by The New York Central and Hudson River Railroad Company), a similar distance. After correspondence between this Commission and the company and complainant, the complaint was satisfied, the rate for seats in the parlor and sleeping cars of The Pullman Company from New York city to Cold Spring-on-Hudson and intermediate stations being reduced to twenty-five cents, effective October 18, 1907.

It also appears in this matter that the rate for such seats in said company's cars on the West Shore railroad (leased to and operated by The New York Central and Hudson River Railroad Company) from Weehawken, N. J., to Cornwall, N. Y., and intermediate stations, will be reduced from fifty cents to twenty-five cents, effective November 20, 1907.

This state of facts appearing from the papers submitted by the defendant, the proceeding is discontinued.

[Case No. 44]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22d day of October, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, lessee West Shore railroad, under section 34 of the Railroad Law, for consent to the discontinuance of the passenger station on the West Shore railroad at New York Mills, near Utica.

The New York Central and Hudson River Railroad Company, lessee of the West Shore railroad, on the 27th day of September, 1907, filed with this Commission its petition under section 34 of the Railroad Law for consent to the discontinuance of the passenger station on the West Shore railroad now maintained at New York Mills, near Utica.

A hearing in this matter, after due notice, was held at the office of the Commission in the Capitol, Albany, on the 22d day of October, 1907. F. A. Harrington appeared for the petitioner. No one else appeared.

From the petition and the evidence at the hearing it appears that the Oneida Railway Company operates passenger cars over the West Shore railroad and has established a stopping place at a point known as French's highway, about 1,300 feet east of the present West Shore station; that the petitioner proposes that the West Shore passenger trains, instead of stopping at the present station, shall stop at the point where the Oneida railway cars stop; that the proposed stopping place will better accommodate the public than the present stopping place.

Upon the aforesaid petition and the accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: (1) That under section 34 of the Railroad Law this Commission hereby consents to the discontinuance of the station for passenger trains on the West Shore railroad (leased to and operated by The New York Central and Hudson River Railroad Company) at New York Mills.

Ordered: (2) That passenger trains on the West Shore railroad, such as now stop at the New York Mills station, shall stop at the point known as French's highway about 1,300 feet east of the point where they at present stop.

Ordered: (3) That a proper shelter station for passengers be erected by The New York Central and Hudson River Railroad Company, as lessee of the West Shore railroad, at the said point known as French's highway, within thirty days from October 25, 1907.

Ordered: (4) That this order shall take effect October 22, 1907, and shall continue in force until modified or abrogated.

[Case No. 65]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23d day of October, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

Petition of THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY and the CENTRAL NEW ENGLAND RAILWAY COMPANY, under section 34 of the Railroad Law, for consent to the discontinuance of passenger station at Hopewell, Dutchess county.

The New York, New Haven and Hartford Railroad Company (as lessee of the New England railroad) and the Central New England Railway Company, on October 3, 1907, filed with this Commission a joint petition, under section 34 of the Railroad Law, for consent to the discontinuance of the passenger station maintained jointly by said railroads at Hopewell, Dutchess county.

A hearing on said petition, after due notice, was held at the office of the Commission in the Capitol, Albany, on October 23, 1907. C. M. Sheafe, jr., appeared for the petitioner. No one else appeared.

From the petition and statements at the hearing, it appears that the petitioners maintain a joint passenger station at Hopewell, Dutchess county, and both maintain a passenger station at Hopewell Junction, which is about one thousand feet northwest of Hopewell; that the petitioners propose the station at Hopewell shall be discontinued, and passengers now boarding and leaving trains on both railroads at that point shall board and leave the trains at Hopewell Junction, using the station at that point; that the maintenance of the station at Hopewell is no longer necessary for the accommodation of the public.

Upon the aforesaid petition and hearing, and after due deliberation, it is

Ordered: (1) That under section 34 of the Railroad Law this Commission hereby consents to the discontinuance of the joint passenger station now maintained by The New York, New Haven and Hartford Railroad Company (as lessee of the New England railroad) and the Central New England Railway Company at Hopewell, Dutchess county.

Ordered: (2) That this order shall take effect October 23, 1907, and shall continue in force until modified or abrogated.

[Case No. 85]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23d day of October, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition, under section 68 of the Railroad Law, of BUFFALO, LOCKPORT AND ROCHESTER RAILWAY COMPANY, as to its railway crossing underneath the Buffalo, Rochester and Pittsburgh railway in the town of Gates, Monroe county.

The Buffalo, Lockport and Rochester Railway Company, on the 21st day of October, 1907, filed with this Commission its petition under section 68 of the Railroad Law, for an order determining whether a crossing by its railway of the Buffalo, Rochester and Pittsburgh railway at a point in the town of Gates, Monroe county, immediately adjoining an existing overhead crossing by the Buffalo, Rochester and Pittsburgh railway of the Niagara Falls branch of the New York Central and Hudson River railroad, shall be above, below, or at the grade of the Buffalo, Rochester and Pittsburgh railway, the petition proposing that the petitioner's railway shall cross below the grade of the Buffalo, Rochester and Pitsburgh railway. The petition is indorsed with the consent of the Buffalo, Rochester and Pittsburgh Railway Company, and there is attached a copy of an agreement between the petitioner and the Buffalo, Rochester and Pittsburgh Railway Company to the effect that the petitioner's railway shall cross the Buffalo, Rochester and Pittsburgh railway at the point in question below the grade, and as to the proportion of expense of such crossing to be paid by each company.

It appears from the petition and accompanying papers that at the point in question, the Buffalo, Rochester and Pittsburgh railway is on an embankment, and for the purposes of this crossing a bridge to carry said railway is to be substituted for the embankment; that the entire cost of the work involved is to be borne by the petitioner; that the Buffalo, Rochester and Pittsburgh railway is now a single track, and that the petitioner's railway in the undercrossing may be either a single or double track at the beginning, the bridge to be of sufficient length therefor, and that in the future additional tracks may be laid at this crossing by either of said companies.

Upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: (1) That under section 68 of the Railroad Law the single or double track railway of the Buffalo, Lockport and Rochester Railway Company shall cross the single track railway of the Buffalo, Rochester and Pittsburgh Railway Company at a point in the town of Gates, Monroe county, immediately adjoining an existing overhead crossing of the Niagara Falls branch of the New York Central and Hudson River railroad by the Buffalo, Rochester and Pittsburgh railway, below the grade of the Buffalo, Rochester and Pittsburgh railway; and that in the future, additional tracks may be laid at this crossing by either the Buffalo, Lockport and Rochester Railway Company or the Buffalo, Rochester and Pittsburgh Railway Company, said additional tracks to be at the same grade as the then existing tracks of either of said companies, to wit: the Buffalo, Lockport and Rochester Railway Company's additional tracks to be below the grade of the Buffalo, Rochester and Pittsburgh railway, and the Buffalo, Rochester and Pittsburgh Railway Company's additional tracks to be above the grade of the Buffalo, Lockport and Rochester railway.

Ordered: (2) That the proportions of expense of such crossing to be paid by the Buffalo, Lockport and Rochester Railway Company and the Buffalo, Rochester and Pittsburgh Railway Company shall be as set forth in an agreement made September 29, 1906, between said companies, a copy of which is attached to the petition in this matter.

Ordered: (3) That this order shall take effect on October 23, 1907, and shall continue in force until modified or abrogated.

[Case No. 45]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of October, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY, under section 54 of the Public Service Commissions Law, for authority to purchase, acquire and hold capital stock of former railroad companies now consolidated into the Central New England Railway Company.

The New York, New Haven and Hartford Railroad Company, on September 30, 1907, filed with this Commission a petition under section 54 of the Public Service Commissions Law, for authority to purchase, acquire and hold certain shares of the capital stock of railroad companies now consolidated into the Central New England Railway Company. A hearing was had on this petition at the office of the Commission in the Capitol, Albany, on October 22, 1907, at which William Greenough appeared for the petitioner. The hearing was adjourned until October 28th, and on the adjourned date, Mr. Greenough appeared for the petitioner and filed a new petition, from which, and from the evidence, it appears that the present Central New England Railway Company is a consolidation of various other railroad companies, to wit: the former Central New England Railway Company; the former Newburgh, Dutchess and Connecticut Railroad Company; the former Dutchess County Railroad Company; the former Poughkeepsie Bridge Railroad Company; the former Poughkeepsie and Eastern Railroad Company; that the petitioner owns 90 per cent. of the preferred stock and 91 per cent. of the common stock of the present Central New England Railway Company; that certain of the shares of capital stock of the constituent companies have not yet been exchanged for the capital stock of the present Central New England Railway Company, which shares are: 3,396 shares of the preferred capital stock and 4,012 shares of the common capital stock of the former Central New England Railway Company; 552 shares of the preferred capital stock and 1 share of the common capital stock of the former Newburgh, Dutchess and Connecticut Railroad Company; 38 shares of the common capital stock (there is no preferred) of the former Dutchess County Railroad Company; 2 shares of the common capital stock (there is no preferred) of the former Poughkeepsie Bridge Railroad Company; all of the capital stock of the former Poughkeepsie and Eastern Railroad Company having been exchanged; that it is these shares of capital stock that the petitioner desires to acquire from time to time; that none of the said shares of capital stock of the Newburgh, Dutchess and Connecticut, Dutchess County, and Poughkeepsie Bridge Railroad companies has any market value, but that the peti-

tioner has paid at private sale during the last year from $23.50 to $25.00 per share for the preferred capital stock, and from $10.00 to $15.00 per share for the common capital stock of the former Central New England Railway Company.

The petitioner also asks the Commission to ratify the purchase by it in July last of 16 shares of the preferred capital stock and 16 shares of the common capital stock of the former Central New England Railway Company, which it purchased and acquired and now holds without authority from this Commission.

It also appears from the petition that the petitioner's railroad in connection with the present Central New England railway forms a continuous line from New England to the Hudson River valley and, in connection with other railroads, to the coal fields of Pennsylvania; that the petitioner desires to double track and otherwise improve the present Central New England railway, provided it is authorized to acquire the said outstanding shares of capital stock.

Upon the aforesaid petition and accompanying papers and evidence at the hearing October 28th, and after due deliberation, it is

Ordered: (1) That under section 54 of the Public Service Commissions Law authority is hereby granted by this Commission to The New York, New Haven and Hartford Railroad Company to purchase and to acquire from time to time, and to hold, the whole or any part of the outstanding shares of the capital stock of the former Central New England Railway Company, the former Newburgh, Dutchess and Connecticut Railroad Company, the former Dutchess County Railroad Company, and the former Poughkeepsie Bridge Railroad Company, to wit: (1) 3,396 shares of the preferred capital stock and 4,012 shares of the common capital stock of the former Central New England Railway Company; (2) 552 shares of the preferred capital stock and 1 share of the common capital stock of the former Newburgh, Dutchess and Connecticut Railroad Company; (3) 38 shares of the common capital stock of the Dutchess County Railroad Company; (4) 2 shares of the common capital stock of the former Poughkeepsie Bridge Railroad Company; provided, however, that the authority hereby granted may be revoked at any time as to any shares of said preferred or common stock not theretofore purchased and acquired pursuant to this order.

Ordered: (2) If any of the shares of preferred or common capital stock named in Order No. 1 have been or are hereafter exchanged for certificates of ownership in, or for shares of, the preferred or common capital stock of the present Central New England Railway Company, the authority hereby conferred upon the said petitioner, under section 54 of the Public Service Commissions Law, is hereby extended to such certificates of ownership in, or shares of, the preferred or common capital stock of the present Central New England Railway Company.

Ordered: (3) That under section 54 of the Public Service Commissions Law authority is hereby conferred by this Commission upon The New York, New Haven and Hartford Railroad Company to hold 16 shares of the preferred and 16 shares of the common capital stock of the former Central New England Railway Company, which were acquired by the New York, New Haven and Hartford Railroad Company in July, 1907, and to exchange them for and hold 16 shares of the preferred and 16 shares of the common capital stock of the present Central New England Railway Company.

[Case No. 77]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of October, 1907.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
THOMAS M. OSBORNE,
Commissioners.

In the matter of the Petition, under section 68 of the Railroad Law, of INTERNATIONAL RAILWAY COMPANY, as to its railway crossing the Lewiston branch of The New York Central and Hudson River Railroad Company, in the town of Lewiston, Niagara county.

The International Railway Company, on the 25th day of September, 1907, filed with this Commission its petition under section 68 of the Railroad Law, for an order determining whether a proposed crossing by a single track extension of its railway of the single track of the Lewiston branch of The New York Central and Hudson River Railroad Company at a point in the Lewiston road highway, in the town of Lewiston, Niagara county, shall be above, below, or at the grade of the said Lewiston branch railroad; the petition proposing that the petitioner's railroad shall cross above grade. Attached to the petition is a copy of an agreement between the petitioner and The New York Central and Hudson River Railroad Company to the effect that the petitioner's railroad shall cross the Lewiston branch railroad at the point in question above grade, and as to the proportion of expense of such crossing to be paid by each company.

A hearing, after due notice, was had upon said petition before Commissioners Keep and Osborne, in the city of Niagara Falls, on October 25, 1907; Cohn and Chormann appeared for the petitioner; Hoyt and Spratt appeared for The New York Central and Hudson River Railroad Company.

It appeared from the petition and accompanying papers and at the hearing that the Lewiston road highway now crosses the Lewiston branch railroad at the point in question on an overhead bridge; that this petitioner has constructed an overhead bridge, to carry its single track railway, immediately south of the existing highway bridge; that the bridge to carry the petitioner's railway is at least twenty-five feet above the top of rail of the steam railroad.

Upon the aforesaid petition and accompanying papers, and after hearing and due deliberation, it is

Ordered: (1) That under section 68 of the Railroad Law the single track railway of the International Railway Company shall cross the single track Lewiston branch railroad of The New York Central and Hudson River Railroad Company, at a point in the Lewiston road highway, in the town of Lewiston, Niagara county, above the grade of the said Lewiston branch railroad.

Ordered: (2) That the proportion of expense of such crossing to be paid by the International Railway Company and The New York Central and Hudson River Railroad Company shall be as set forth in an agreement made December 6, 1906, between said companies, a copy of which agreement is attached to the petition in this matter.

Ordered: (3) That this order shall take effect on October 29, 1907, and shall continue in force until modified or abrogated.

[Case No. 52]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of October, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition, under section 68 of the Railroad Law, of ELECTRIC CITY RAILWAY COMPANY as to its railway crossing the Erie railroad and unconstructed route of the Buffalo, Thousand Islands and Portland Railroad Company, in Niagara street, Niagara Falls.

The Electric City Railway Company, on September 25, 1907, filed with this Commission its petition, under section 68 of the Railroad Law, for an order determining whether a proposed crossing by the petitioner's double track street railway of the Erie railroad and the unconstructed route of the Buffalo, Thousand Islands and Portland Railroad Company in Niagara street, in the city of Niagara Falls, shall be above, below, or at the grade of the Erie railroad and said unconstructed route; the petition proposing that the petitioner's railroad shall cross below the grade of the Erie railroad in an existing undercrossing.

A hearing on this petition was had before Commissioners Keep and Osborne of this Commission in the city of Niagara Falls on October 25, 1907. Cohn and Chormann appeared for the petitioner; Kenefick, Cooke and Mitchell appeared for the Buffalo, Thousand Islands and Portland Railroad Company. No one else appeared.

It appears from the petition and statements at the hearing that Niagara street at this point now crosses the Erie railroad in an undercrossing constructed pursuant to the provisions of section 62 of the Railroad Law; that the petitioner has an agreement with the city of Niagara Falls to pay the city's one-quarter of the expense of this undercrossing; that the Buffalo, Thousand Islands and Portland Railroad Company owns land abutting Niagara street at the point in question, and that its railroad is not constructed nor in process of construction across the street.

Upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: (1) That under section 68 of the Railroad Law the double track street railway of the Electric City Railway Company shall cross the Erie railroad in Niagara street in the city of Niagara Falls below the grade of the Erie railroad.

Ordered: (2) That this Commission determines nothing at this time in relation to the crossing by this petitioner's railroad of the unconstructed route of the Buffalo, Thousand Islands and Portland Railroad Company, at this point.

Ordered: (3) That no proportion of the expense of the crossing of the Erie railroad by this petitioner's railroad at this point shall be borne by the Erie Railroad Company.

Ordered: (4) That this order shall take effect on October 29, 1907, and shall continue in force until modified or abrogated.

[Case No. 29]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of November, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the NEW YORK AND STAMFORD RAILWAY COMPANY, under section 103 of the Railroad Law, for approval of a declaration of abandonment of the route of the petitioner's railroad on Apawamis avenue and a portion of Forest avenue, in the village of Rye, Westchester county.

The New York and Stamford Railway Company, on September 11, 1907, filed with this Commission its petition, under section 103 of the Railroad Law, for approval of a declaration of abandonment, duly adopted by the directors and stockholders of the petitioner, of the constructed portion of the petitioner's railroad, in the village of Rye, Westchester county, on Apawamis avenue from Meadow street to Forest avenue, and on Forest avenue from Apawamis avenue to Beck avenue, and the connections with the petitioner's railroad in Meadow street and Beck avenue. The village of Rye joins in the petition. A hearing, after due notice, was held by this Commission at its office in the Capitol, Albany, on November 6, 1907; William Greenough appeared for the petitioner; no one else appeared.

From the petition and evidence at the hearing, it appears that the petitioner has recently constructed, on private right of way, in this village, a double track extension of its railroad from Meadow street to Forest avenue, and proposes to construct a double track on Forest avenue to Beck avenue; that this new construction will accommodate the public substantially as well as does the portion of railroad sought to be abandoned; that the residents of Apawamis avenue and that part of Forest avenue on which the portion of railroad sought to be abandoned now exists, are in favor of its abandonment; that, as stated, the village authorities join in this petition. Upon this state of facts, and after due deliberation, it is

Ordered: That this Commission, under section 103 of the Railroad Law, hereby approves of the declaration of abandonment of that portion of the railroad of the New York and Stamford Railway Company, in the village of Rye, Westchester county, now constructed on Apawamis avenue from Meadow street to Forest avenue, and on Forest avenue from Apawamis avenue to Beck avenue, together with the track or tracks now connecting petitioner's railroad on Apawamis avenue with its railroad on Meadow street, and now connecting its railroad on Forest avenue with its railroad on Beck avenue; and that the declaration of abandonment of said portion of said railroad, duly adopted by the directors and stockholders of the petitioner, be indorsed with the approval of this Commission.

[Case No. 63]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of November, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the NASSAU LIGHT AND POWER COMPANY, under section 70 of the Public Service Commissions Law, for authority to acquire $35,000 capital stock of the Oyster Bay Electric Light and Power Company.

The Nassau Light and Power Company, now furnishing electricity in the town of Oyster Bay and other towns in Nassau county, on October 3, 1907, filed with this Commission a petition under section 70 of the Public Service Commissions Law, for authority to acquire $35,000 outstanding capital stock of the Oyster Bay Electric Light and Power Company. A hearing was held on this petition at the office of the Commission, in the Capitol, Albany, on October 23, 1907, at which William W. Cook appeared for the petitioner.

It appears from the petition and from the evidence at the hearing that this petitioner during the month of November, 1905, acquired by purchase and now holds $35,000 of the capital stock of the Oyster Bay company, the par value being $10 a share; that it paid therefor $26,875.50; that the statute then required the petitioner to secure authority for such purchase from the former Commission of Gas and Electricity; that such authority was not secured, but the company in making said purchase without authority acted in good faith, being advised that no such consent was necessary; that $35,000 is the total outstanding capital stock of the Oyster Bay company.

This Commission, believing that the interests of the public will not suffer through the granting of this petition, it is

Ordered: That the application of said Nassau Light and Power Company for ratification of and authority to purchase said thirty-five hundred shares of the capital stock of the Oyster Bay Electric Light and Power Company at $7.50 per share, under section 70 of the Public Service Commissions Law, be and the same hereby is granted.

[Case No. 131]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of November, 1907.

Present:
FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Elimination of the grade crossing of the New York, Chicago and St. Louis railroad over North Portage street in the village of Westfield, Chautauqua county.

This work is progressing under the provisions of the Grade Crossing Law. On November 16, 1907, there was filed with this Commission a stipulation

signed by R. E. Hart, chief engineer, New York, Chicago and St. Louis Railroad Company; A. B. Ottaway for the village of Westfield; and A. N. Broadhead, president of the Chautauqua Traction Company, which last named company proposes to operate its cars over the bridge that is being constructed, as follows:

"Now, therefore, it is hereby stipulated, to the end that the said work may be promptly executed to completion, that the plan of said work be changed, so far as the approaches to said bridge are concerned, and that the approaches be an earth fill, supported on the sides by concrete retaining walls, and all within the lines of the highway, that an order may be made herein by the Public Service Commissioners of the Second District of the State of New York, modifying and approving said plans so modified, and that the cost of the construction of the said bridge be paid: one-quarter by the Village of Westfield, one-quarter by the State of New York, and one-half by the said New York, Chicago and St. Louis R. R. Co.; except that the Chautauqua Traction Company shall pay and it agrees to pay the cost of the construction of the sidewalk 5½ ft. in the clear; and the additional cost of concrete abutments at the ends of said bridge, necessary to sustain said sidewalk, and the additional cost of raising the retaining wall for said sidewalk and the additional cost for the earth fill between said concrete retaining walls made necessary by reason of the construction of said bridge 31½ ft. wide instead of 26 ft.

"It is further stipulated that upon the approval of this stipulation by the Public Service Commissioners of the Second District of the State of New York, that an order may be made and entered accordingly.

"Dated this 16th day of November, 1907."

Under these circumstances it is

Ordered: That said stipulation is hereby approved; that the plans for said elimination be modified, and as modified are hereby approved as specified in said stipulation; that the cost of such elimination be paid as specified in said stipulation.

[Case No. 104]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of November, 1907.

Present:
FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of MARQUIS L. KEYES and RUEZ R. MACKEY *against* DELAWARE AND HUDSON COMPANY.

This complaint by Marquis L. Keyes and Ruez R. Mackey of Oneonta, N. Y., against The Delaware and Hudson Company, was filed with this Commission on October 16, 1907. It alleged that the company refused to install a side track and switch connection between the railroad operated by it and the complainants' property at Oneonta. The company constructed the side track and switch connection, and complainants expressed themselves as satisfied. It is, therefore,

Ordered: That the matter of this complaint is hereby discontinued.

[Case No. 92]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of November, 1907.

Present:
FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of the WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY for a crossing of the switch of the Western New York and Pennsylvania Railway Company, leased to and operated by the Pennsylvania Railroad Company, in Broad street in the village of Salamanca, New York.

On reading and filing the application of the Western New York and Pennsylvania Traction Company for a determination of the manner of crossing by the single track railway of said petitioner the switch track of the Western New York and Pennsylvania Railway Company, leased to and operated by the Pennsylvania Railroad Company, at the point where said switch crosses the center line of Broad street in the village of Salamanca, Cattaraugus county, New York, under section 68 of the Railroad Law; and the petitioner having filed with this Commission due proofs of publication of notice of this hearing in the Republican Press, a newspaper published in the village of Salamanca, New York; and said hearing having been brought on and heard on the 4th day of November, 1907, at the Dudley House in the village of Salamanca, New York, at the time and place stated in said notice; the Western New York and Pennsylvania Traction Company appearing by Joseph L. Page, its attorney, and the Western New York and Pennsylvania Railway Company and Pennsylvania Railroad Company appearing by Allen J. Hastings, their attorney; and after hearing the proofs and allegations of said petitioner, the said Western New York and Pennsylvania Railway Company and Pennsylvania Railroad Company, by their counsel, waiving objection to said application,

It is Ordered: That said Western New York and Pennsylvania Traction Company be and is hereby granted the right and privilege of crossing at grade with its single track railway the single track switch of said Western New York and Pennsylvania Railway Company, leased to and operated by the Pennsylvania Railroad Company, in the village of Salamanca, New York, at the point where said switch crosses Broad street in said village, the center line of said crossing to be at the point where the center line of Broad street crosses said switch, as delineated and shown on map attached to petition herein, said crossing to be standard cut crossing with eighty-five (85) pound rail.

It is further Ordered: That the entire expense of installing and maintaining said crossing shall be paid by the Western New York and Pennsylvania Traction Company, and that if at any time hereafter the proper authorities shall order the maintenance of a flagman or the installation of derailing switch or other safety apparatus, the same shall be provided and maintained without expense to said Western New York and Pennsylvania Railway Company or its successors, lessees or assigns; and if at any time in the future the proper public authorities shall order a change in the grade of said crossing by the dropping of the tracks of said traction company under or raising them over the tracks of said railroad companies, said traction company shall indemnify said railroad companies against any expense by reason thereof.

It is further Ordered: That said Western New York and Pennsylvania Traction Company cause to be executed and delivered to said Western New

York and Pennsylvania Railway Company and Pennsylvania Railroad Company a bond of a surety company, to be approved by said railroad companies, in the sum of $5,000, indemnifying said railroad companies from and against any and all damages, loss, claims or demands suffered or sustained by them or either of them during the construction of said crossing, by reason of any accident resulting from any omission or act of commission of said Western New York and Pennsylvania Traction Company in said construction.

[Case No. 97]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of November, 1907.

Present:
FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of the WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY for a crossing of the tracks of the Western New York and Pennsylvania Railway Company, leased to and operated by the Pennsylvania Railroad Company, in the town of Carrollton, Cattaraugus county, New York.

On reading and filing the application of the Western New York and Pennsylvania Traction Company for a determination of the manner of crossing by the single track railway of said petitioner the main track and siding of the Western New York and Pennsylvania Railway Company, leased to and operated by the Pennsylvania Railroad Company, about one-half mile east of Riverside Junction, in the town of Carrollton, Cattaraugus county, New York, under section 68 of the Railroad Law; and the petitioner filing with this Commission due proofs of publication of notice of hearing of this application in the Republican Press, a newspaper published in the village of Salamanca, New York, and the Hub, a newspaper published in the village of Little Valley, New York; and the affidavit of service of notice of said hearing on the town clerk of the town of Carrollton; and the hearing coming on to be heard on the 4th day of November, 1907, at the Dudley House in the village of Salamanca, New York, the time and place stated in said notice; the Western New York and Pennsylvania Traction Company appearing by Joseph L. Page, its attorney, and the Western New York and Pennsylvania Railway Company and the Pennsylvania Railroad Company appearing by Allen J. Hastings, their attorney; and after hearing the proofs and allegations of said petitioner, and said Western New York and Pennsylvania Railway Company and Pennsylvania Railroad Company, by their counsel, waiving objection to said application,

It is Ordered: That said Western New York and Pennsylvania Traction Company be and is hereby granted the right and privilege of crossing, with its single track railway, over the right of way of the Western New York and Pennsylvania Railway Company, leased to and operated by the Pennsylvania Railroad Company, at a point 3,351 feet east of the crossing of the said Western New York and Pennsylvania railway and Buffalo, Rochester and Pittsburgh railroad, at Riverside Junction in the town of Carrollton, Cattaraugus county, New York, by a bridge structure to be erected on a 3 per cent. grade at a height and clearance of twenty-two (22) feet, or more, above the said Western New York and Pennsylvania Railway Company's north rail, as now laid; said structure to be erected at the point designated

and in the manner described and shown on map and plan attached to said petition.

It is further Ordered: That the entire expense of constructing and maintaining said structure shall be paid by the Western New York and Pennsylvania Traction Company.

It is further Ordered: That said Western New York and Pennsylvania Traction Company cause to be executed and delivered to said Western New York and Pennsylvania Railway Company and Pennsylvania Railroad Company, a bond of a surety company, to be approved by said railroad companies, in the sum of $5,000, indemnifying said railroad companies from and against any and all damages, loss, claims or demands, suffered or sustained by them, or either of them, during the construction of said bridge structure, by reason of any accident resulting from any omission or act of commission of said Western New York and Pennsylvania Traction Company in such construction.

[Case No. 72]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of ARTHUR W. EVANS *against* the ERIE RAILROAD COMPANY, as to alleged insufficient number of trainmen on certain passenger trains.

This complaint was filed with this Commission on July 19, 1907. It alleged, "The Erie Railroad Company is a corporation engaged in railroad business, the line or lines of whose railroad extend from Salamanca, New York, to Susquehanna. That some of the passenger trains in service upon said railroad company between the said stations are equipped and maintained as follows: Engineer, fireman, conductor and one brakeman. That the work required of said men is more than can be properly and safely performed by said number of men. That another brakeman or flagman is required upon said trains in order to properly protect the public obliged to travel thereon or otherwise. That your petitioner has long been employed in the railroad business and is familiar with the work required of brakemen upon such trains, and of his own opinion alleges that the work required of said men is more than can at times be proficiently performed by the said number of men," and asked of this Commission that it compel the Erie Railroad Company "to put at least one more brakeman upon such of its passenger trains as are now being run between said stations wholly within the State of New York with the said number of men."

This complaint was served upon the Erie Railroad Company, and an answer thereto having been served by the company, a hearing was had on the 12th day of November, 1907, at which hearing the complainant appeared in person and the railroad company by its general counsel, Mr. George F. Brownell.

Upon the hearing the complainant specified as the trains referred to in his petition and upon which he wished the number of brakemen increased, trains numbers 3 and 5, both of which run westerly.

We are of the opinion, after consideration of the evidence, that just cause for this complaint does not exist. The complaint is, therefore, hereby dismissed.

[Case No. 112]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the CENTRAL NEW ENGLAND RAILWAY COMPANY, under section 34 of the Railroad Law, for consent to the discontinuance of one of its freight stations and one of its passenger stations in the city of Poughkeepsie.

The Central New England Railway Company, on the 30th day of October, 1907, filed with this Commission its petition under section 34 of the Railroad Law for consent to the discontinuance of one of its passenger stations and one of its freight stations in the city of Poughkeepsie.

A hearing on said petition, after due notice, was held at the office of the Commission in the Capitol, Albany, on November 26, 1907. William Greenough appeared for the petitioner. No one else appeared.

From the petition and evidence at the hearing it appears that the Central New England Railway Company is a consolidation of various other railroad companies, one of which was the former Central New England Railway Company, and another of which was the former Poughkeepsie and Eastern Railway Company; that both of the last named railroads are connected in Poughkeepsie and have freight and passenger stations there; that the Central New England freight station and passenger station (separate stations) are near together in the yard at Parker avenue, and that the Poughkeepsie and Eastern freight station and passenger station (separate stations) are near together in the yard at Cottage street; that the petitioner proposes that the Poughkeepsie and Eastern passenger station shall be discontinued and that the persons now using it shall use the Central New England passenger station at Parker avenue; that the petitioner proposes that the Central New England freight station shall be discontinued and that the business now transacted there shall be transacted at a new freight station to be erected in the Poughkeepsie and Eastern yard and immediately adjoining Cottage street; that the facilities for handling freight at the Poughkeepsie and Eastern yard are better than those at the Central New England yard; and that if this petition is granted, the Central New England passenger station will properly accommodate the public.

Upon the aforesaid petition and the evidence taken at the hearing, and after due deliberation, it is

Ordered: (1) That under section 34 of the Railroad Law this Commission hereby consents to the discontinuance of the freight station on the Central New England railway in the yard at Parker avenue in the city of Poughkeepsie.

Ordered: (2) That under section 34 of the Railroad Law this Commission hereby consents to the discontinuance of the passenger station on the former Poughkeepsie and Eastern railway in the yard near Cottage street in the city of Poughkeepsie.

Ordered: (3) That said freight station in the yard at Parker avenue shall not be discontinued until the new freight station in the yard at Cottage street is constructed and ready for use by the public.

[Case No. 61]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of December, 1907.

Present:
FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of the INHABITANTS OF THE VILLAGE OF CASTLETON *against* NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

Ordered: That The New York Central and Hudson River Railroad Company having been heard on the complaint of the inhabitants of the village of Castleton concerning alleged insufficient train service from Albany to that village, the said company be required to furnish just, reasonable, and adequate service to said village of Castleton by making said Castleton a regular stopping place of its east bound train number 14, known as the Eastern Express, except on Sundays, to commence within one week after service of this order upon it. That it at once post notice of the fact that the said train will so stop in the station at Castleton. That an order to the foregoing effect be entered and a certified copy of the same be served upon the said company. That the said company is required to notify the Commission within three days whether the terms of this order are accepted and will be obeyed. This order shall continue in force until modified or abrogated.

APPENDIX F.

Uniform System of Accounts as Established for Steam Railroad Corporations Operating in the Second District.

In Effect January 1, 1908.

APPENDIX F.

At a session of the Public Service Commission, Second District, State of New York, held at the Capitol in the city of Albany, on the 16th day of December, 1907.

Present: FRANK W. STEVENS, *Chairman*,
CHARLES HALLAM KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

This Commission being authorized by section 52 of the Public Service Commissions Law to establish, whenever it deems advisable, a uniform system of accounts to be used by railroad corporations subject to its jurisdiction, and it appearing advisable to establish at this time a uniform system of accounts for expenditures for road and equipment, operating revenues, operating expenses, locomotive-miles, car-miles and train-miles,

ORDERED: 1. That the system of accounts shown by Schedule A, hereto annexed, be and the same is hereby established as the system of accounts for said matters, to be kept and maintained by all railroad corporations under the supervision of this Commission, as that term is defined in section 2 of the Public Service Commissions Law, owning, controlling or operating any railroad on which steam is used as the motive power.

2. That said system of accounts shall be put in use by all such railroad corporations on the 1st day of January, 1908, and be thereafter kept and used by them.

3. That all such railroad corporations shall in the annual reports to be severally made by them concerning their respective affairs and operations during the fiscal year July 1, 1907, to June 30, 1908, inclusive, classify and report their expenditures for road and equipment, their operating revenues, their operating expenses, and their locomotive-miles, car-miles, and train-miles in accordance with the classifications of expenditures for road and equipment, of operating revenues, of operating expenses, and of locomotive-miles, car-miles, and train-miles set forth in said Schedule A.

4. That the form of the annual report to be made by the said railroad corporations, showing their respective affairs and operations during the said year, shall call for the total amounts charged or credited to each of the several accounts provided for in the said several classifications.

5. That the Secretary of this Commission serve upon each of the said corporations, persons and associations, on or before December 26, 1907, in manner prescribed by law, a copy of this order.

SCHEDULE A.

CLASSIFICATION OF EXPENDITURES FOR ROAD AND EQUIPMENT.

Special note covering all entries in the accounts included in this classification.— Where the consideration in the transaction shown in any entry is any thing other than money, the actual consideration must be shown in the entry, and the actual cash value thereof shown in the values columns.

I. ROAD.

1. ENGINEERING.

To this account should be charged salaries and expenses of all engineers, assistants, and axmen; costs of teams for transportation of engineers and men to and from work, or upon trips of inspection of line of work, or incidental thereto; engineers' instruments, rods, chains, axes, hatchets, tapelines, keel or marking chalk, stakes, profile and drawing paper, tracing linen or paper, cross-section paper, transit and level books, cross-section or topographical books, india ink and colors, drawing boards, stools, map cases, fuel, lights, camp equipage ,and other analogous items.

NOTE.— When employees enumerated above are engaged in work not chargeable to construction, their pay and expenses should be charged to the specific work on which engaged.

2. RIGHT OF WAY AND STATION GROUNDS.

To this account should be charged the cost of land acquired for roadbed (of necessary width conformable to depth and slopes of excavations and embankments, including borrow pits and waste banks adjoining right of way) and station and terminal grounds; also the cost of land purchased for ingress to or egress from station grounds; salaries and expenses of counsel, right of way agent, and engineers and assistants when specially engaged for such matters; cost of stakes used to denote right of way limits; expenses of appraisals, or of juries, commissioners, or arbitrators in condemnation cases; cost of removal of buildings (if upon right of way or station or terminal grounds, and not included in property purchased); commissions paid outside parties for purchase of properties for these purposes; costs of plats, abstracts, notarial fees, recording deeds, etc.; and payments for abutting damages.

NOTE.— The estimated salable value of property not required in connection with the operation of the road after completion thereof, but acquired and charged to this account in connection with land needed for right of way and station grounds should, upon completion of the road, be credited to this account and charged to an appropriate property account. Where such property is sold upon or prior to the completion of the road, the proceeds of sale thereof should be credited to this account.

3. REAL ESTATE.

To this account should be charged the cost of land acquired for use directly in connection with the operation of the road, but in excess of and in addition to that actually required for roadbed or station or terminal grounds, including all expenses incurred in connection with such acquisition as enumerated in account No. 2, "Right of Way and Station Grounds."

4. GRADING.

To this account should be charged the cost of grading roadbed, whether excavations or embankments; clearing and grubbing; dressing slopes of cuts and fills; reconstructing pikes or roads; ditching roadbed; berm ditches; cost of material taken from borrow pits, haul if allowed; amounts paid for privilege of making waste banks outside of company's right of way or station grounds; ditches for waterways not specially required by right of way agreement (where so required cost would be properly chargeable to account No. 2, "Right of Way and Station Grounds"). This account should include the cost of retaining walls and other masonry or riprap for the protection of embankments, cuts, and slopes; cribbing or bulkheading built to protect the tracks or embankments along the seashore or banks of lakes and streams, including the cost of any cribs, breakwaters, wing dams, or other devices constructed to change the direction of the current of a stream to prevent the washing of the bank; also freight on material, and transportation and subsistence of grading gangs.

If special grading outfits be bought by the railroad company to be used in grading, the cost of such outfits when bought should be charged to this account. The proceeds from sale of these outfits, if sold after completion of grading, should be credited to this account. If, however, the outfits be retained and used, this account should be credited with the inventory value thereof on the completion of grading, and account No. 41, "Work Equipment," charged therewith.

5. TUNNELS.

To this account should be charged the cost of tunneling, including such timber as may be used for centering, packing, etc.; cost of steel, stone, brick, cement, sand, lime, salt, piles, timber, spikes, nails, braces, concrete, etc., used in the construction or lining of tunnels; cost of labor preparing or securing them, transportation, scaffolding, cofferdams, and pneumatic caissons; cost of soundings, and machinery, pumps, engines, etc., used for such work.

NOTE.— This account does not include cost of the track through the tunnel or of surfacing such track.

6. BRIDGES, TRESTLES, AND CULVERTS.

To this account should be charged the cost of bridges and trestles erected to carry tracks over streams, ravines, streets, or

other railroads, and culverts, both substructure and superstructure, including transportation. This account should include cost of abutments, piers, supports, draw and pier protection; machinery to operate drawbridges; guard rails; masonry ends and wing walls for culverts; cost of inspection of bridge material either at shop or site of structure; costs of tests; cost of wing dams, cribs, or ice breakers for regulating the current of a stream or breaking up ice jams; also labor and material used in painting structure.

In case "false work" is furnished by the railroad company for erection of bridge superstructure, the cost should be charged to this account, and when removed the value of the material removed should be credited to this account and charged to the account benefited.

7. TIES.

To this account should be charged the cost of cross, switch, bridge, and other ties and railroad crossing timbers laid in the main track or tracks, sidings, spurs, and repair tracks; in tunnels, stations, shop and other yards; on wharves, piers, track scales, inclines, bridges, trestles, and culverts; to and from coal chutes, coal pockets, fuel and water stations, etc., excluding inclines of fuel stations, tracks in ballast pits, enginehouses, shops, and storehouses, and on transfer tables and turntables. To this account should be charged also the cost of transportation, inspection, handling (except final distribution), and any process of preservation.

NOTE.— See account No. 20, "Shops, Enginehouses, and Turntables," and account No. 23, "Fuel Stations."

8. RAILS.

To this account should be charged the cost of rails laid in the main track or tracks, sidings, spurs, and repair tracks; in tunnels, stations, shop and other yards; on wharves, piers, track scales, inclines, bridges, trestles, and culverts; to and from coal chutes, coal pockets, fuel and water stations, etc., excluding inclines of fuel stations, tracks in ballast pits, enginehouses, shops, and storehouses, and on transfer tables and turntables. To this account should be charged also the cost of transportation, inspection, and handling (except final distribution).

NOTE.— See account No. 20, "Shops, Enginehouses, and Turntables," and account No. 23, "Fuel Stations."

9. FROGS AND SWITCHES.

To this account should be charged the cost of frogs, switches, derails, switch lamps, switch locks, and other switch material, including switch stands (throw or lever), frog and switch guard rails, crossing frogs, bolts, etc., used in foundations or bases, and cost of transportation, inspection, and handling (except final distribution).

NOTE.— See account No. 20, "Shops, Enginehouses, and Turntables," and account No. 23, "Fuel Stations."

10. TRACK FASTENINGS AND OTHER MATERIAL.

To this account should be charged the cost of spikes used for laying rails, and of fish and tie plates, splice or angle bars, continuous rail joints, chairs, rail braces, bolts, nuts, nut locks or washers used in connection therewith; cost of guard rails on curves and in tunnels; cost of bumping posts; also the cost of transportation, inspection, and handling (except final distribution).

NOTE.— See account No. 20, "Shops, Enginehouses, and Turntables," and account No. 23, "Fuel Stations."

11. BALLAST.

To this account should be charged the cost of ballast, whether of broken stone, slag, gravel, or other material specially provided for this purpose; also the cost of loading, hauling, unloading alongside of track, and of transportation.

If the stone or other ballast is produced by the builders of a railroad, there should be included in the cost thereof quarry and gravel rights, rails, ties, and other track material laid to and in quarries and gravel pits, together with the cost of labor employed in getting out and preparing the ballast. The salable value of such quarries and gravel pits or of the rights therein upon the completion of construction should be credited to this account.

12. TRACK LAYING AND SURFACING.

To this account should be charged the cost of distributing, laying, spacing, and alining ties; cost of laying, spiking, and jointing rails, surfacing and alining track, including the adjustment of rails to proper elevation, and labor of placing frogs, switches, and bumping posts; cost of track tools, including shovels, picks, track jacks, crowbars, levers, spiking mauls, gages, and wrenches; cost of spreading ballast and putting it under track; expenses of locomotives, cars, and crews distributing track material, and cost of transportation of men, tools, appliances, and outfits used on this work.

NOTE.— See account No. 20, "Shops, Enginehouses, and Turntables," and account No. 23, "Fuel Stations."

13. ROADWAY TOOLS.

To this account should be charged the cost of the first outfit of tools, including hand and push cars, velocipedes, speeders, etc., furnished section, bridge, carpenter, and other gangs properly to equip them to protect, maintain, and repair the property when it is opened for the handling of commercial traffic.

14. FENCING RIGHT OF WAY.

To this account should be charged the cost of material and labor used in constructing board, wire, rail, hedge, stone, or other fences along the right of way or limits of roadbed, including cattle guards and wing fences thereto, and transportation; but no charge should be made to this account for fences constructed

around stock yards, fuel stations, station grounds, shops, and on other properties outside of right of way, which should be charged to their appropriate accounts. (The cost of permanent or portable fences for protection of tracks from snow or sand should not be charged to this account, but to account No. 31, "Miscellaneous Structures.")

15. CROSSINGS AND SIGNS.

To this account should be charged the cost of labor and material used in constructing farm, country road, or street crossings at grade, overhead bridges, undergrade crossings; all track signs, crossing gates, highway crossing alarms, and watchhouses at crossings; and cost of transportation.

NOTE.— The cost of bridges or trestles carrying tracks over streets should not be charged to this account, but to account No. 6, "Bridges, Trestles, and Culverts."

16. INTERLOCKING AND OTHER SIGNAL APPARATUS.

To this account should be charged the cost of interlocking and other signal apparatus complete, including apparatus for block signals of all classes, when built by contract. If built by the railroad company, there should be charged to this account the cost of labor and material, including all levers, racks, wires, pulleys, semaphores, semaphore signals, ground signals, posts, materials in box troughs, and other fixtures; towers and foundations for same; signal bells, posts, power plants, batteries and wires, bonding rails, and other appliances incident thereto and all other work necessary to complete them; and cost of transportation.

17. TELEGRAPH AND TELEPHONE LINES.

To this account should be charged the cost of constructing telegraph and telephone lines, including conduits, poles, cables, wires, billets, insulators, instruments, and all other materials used; also labor employed in the construction work, cost of all tools used; and cost of transportation.

18. STATION BUILDINGS AND FIXTURES.

To this account should be charged the cost of material and labor expended on station buildings, including cost of transportation, station signs, platforms, sidewalks, excavations, foundations, drainage, water, gas, and sewer pipes and connections, steam-heating apparatus, stoves, electric light and power fixtures including wiring for same; grading and putting grounds in order after buildings have been finished; electric bells, elevators, and all other material, furniture, or fixtures used to complete the buildings; wells for water supply of stations; salaries and expenses of architects; also cost of fences, hedges, turnstiles, etc., around station grounds.

NOTE.— This account should not include the cost of similar buildings on docks, wharves, and piers, which should be charged to account No. 26, "Dock and Wharf Property."

19. GENERAL OFFICE BUILDINGS AND FIXTURES.

To this account should be charged the cost of buildings devoted to general office purposes, the cost of all fixtures thereto attached, and the cost of furniture for the equipment of such buildings.

NOTE.— If the land occupied by general office buildings is not a part of right of way and station grounds, its cost should be charged to account No. 3, "Real Estate."

20. SHOPS, ENGINEHOUSES, AND TURNTABLES.

To this account should be charged the cost of all buildings to be used as shops (including transfer tables), car sheds, or enginehouses (including cinder and drop pits); turntables; plants for furnishing power or for heating and lighting the buildings; platforms, sidewalks, and outhouses in connection therewith; and oil houses, sand houses, storehouses for company's material, scrap bins, appurtenances, etc. This account should include amounts paid for shops, enginehouses, and turntables when erected under contract. If built by the company, there should be charged to this account cost of labor and material; preparing grounds before and clearing up same after construction; foundations; painting; excavation for and lining of turntable pits, and of cinder or drop pits inside or outside of enginehouses; foundations for turntables; loading, unloading, and placing turntables in position; levers, tractors, and stops for handling turntables; sewerage systems; connections with water supply systems; shop wells; architects' fees for drawing plans and supervision of construction; fences and hedges on and around shop grounds; and transportation and incidental expenditures. To this account should be charged the cost of tracks laid on transfer tables and turntables and those leading therefrom into shops and enginehouses; also the cost of all tracks laid in any of the buildings above described.

21. SHOP MACHINERY AND TOOLS.

To this account should be charged the cost of machinery and tools placed in shops or enginehouses, including foundations therefor; cost of transportation, loading, unloading, and placing machinery in position. This account includes the cost of stationary engines and boilers, motors, compressors, ash conveyors, shafting, belting, cranes, stationary and portable forges, lifting magnets, hydraulic, pneumatic, and electric tools and machines, and all other machinery and tools in shops and enginehouses, including the small hand tools necessary first to equip a shop.

22. WATER STATIONS.

To this account should be charged the cost of material and labor expended in the construction of water stations for the purpose of supplying locomotives with water, including cost of windmills, pumps, boilers, pumphouses, tanks, tubs, tank foundations, track tanks or troughs, stationary engines, and all fixtures and pipes, standpipes, or penstocks and connections; pipe

lines, wells, dams, reservoirs, settling basins, water purifying plants, and cisterns; cost of transportation; also tools used in the work. This account should not include waterworks, wells, etc., exclusively for supply of shops, power plants, stations, hotels, tenements, or section houses, which should be charged to appropriate accounts.

23. FUEL STATIONS.

To this account should be charged the cost of material and labor expended in the construction of coal platforms, coal sheds, coal-pocket chutes, woodsheds and racks, fuel-oil plants, and all machinery or appliances necessary to equip them for service. This account includes inclines of fuel stations and the cost of tracks laid thereon, tipple cars, buckets and cranes for handling, elevating machinery (including gasoline or other engines for operating), dumping machinery, all appliances for weighing coal in pockets and opening coal pockets, also cost of plants for handling ashes when to be operated in connection with fuel stations, cost of transportation, architects' fees, etc.

24. GRAIN ELEVATORS.

To this account should be charged the cost of grain elevators, including cost of foundations, conveyors, fixtures, and machinery; the cost of transportation and other charges incident to construction. This account does not include the cost of small storage elevators at way stations, which are considered to be station buildings.

25. STORAGE WAREHOUSES.

To this account should be charged the cost of storage warehouses, including machinery and fixtures therein; cost of transportation and all other expenditures incident to construction.

NOTE.— The buildings herein referred to are not the ordinary freight warehouses or stations where freight is received for shipment, etc., but warehouses in which merchandise is stored, and which the railroad company or others operate as storage warehouses.

26. DOCK AND WHARF PROPERTY.

To this account should be charged the cost of docks, wharves, ferry or other landings, and inclines to transfer steamers, including buildings, structures, coal and ore handling machinery thereon and other appurtenances, dredging of slips, piling, filling cribs, pile protection, building cofferdams, pumping or bailing water, masonry walls or filling, etc., cost of transportation and all other expenditures incident to construction, except the cost of tracks. (The cost of ground on which docks or wharves are built and of riparian or water front rights in connection therewith should be charged to account No. 2, "Right of Way and Station Grounds.")

27. ELECTRIC LIGHT PLANTS.

To this account should be charged the cost of labor and material, including cost of transportation, used to put into operation either arc or incandescent lighting plants (when not in connection with station buildings or shop plants, and so covered by account No. 18, "Station Buildings and Fixtures," or No. 20, "Shops, Enginehouses, and Turntables"), such as dynamos, engines for running dynamos, wire constituting lines, glass globes, carbon or arc lights, carbonized filament for incandescent lights, poles, hangers for lights, insulators, and every expense incidental to the erection of the plant. When it is necessary to erect a building for an electric light plant, the entire cost thereof should be charged to this account.

28. ELECTRIC POWER PLANTS.

To this account should be charged the cost of stations where electric power is generated for operation of trains and cars, whether operated by steam or water power, including the cost of erection of power house and car sheds at power plant; flowage rights; all expenditures for labor and material, reservoirs, dams, penstocks, water wheels, or turbines; engines, boilers and machinery, pumps, condensers, foundations and settings for steam plants; generators, foundations, settings, switch boards, and lighting apparatus for electric power plants. (Cost of plants for furnishing power at shops should be charged to account No. 20, "Shops, Enginehouses, and Turntables.")

29. ELECTRIC POWER TRANSMISSION.

To this account should be charged all expenditures for labor and material for transmission of electricity for power purposes, including span, guard, feed, and overhead trolley wires, poles, crossarms, brackets, insulators, and connections; third rails, including braces, supports and devices for insulating, covering, or protecting; bonding rails, including connecting plugs, insulating mats, plugs, or other devices; switch boards, switches, cut-outs, transformers, etc., (not at power stations or substations); and any other expenditures incurred in connection with the building of lines for the transmission of electric power.

30. GAS PRODUCING PLANTS.

To this account should be charged the cost of labor and material, including cost of transportation, used to put into operation a gas producing or compressing plant complete. When it is necessary to erect a building for a gas producing plant, the entire cost thereof should be charged to this account.

31. MISCELLANEOUS STRUCTURES.

To this account should be charged the cost of structures of every character, including cost of material, labor, transportation, and all incidental expenses connected therewith, which are permanent and enter into the cost of road, and which are not

otherwise herein particularly referred to, and for which no account has been provided; the object being to designate one general classification, to which may be charged the cost of all minor structures, and in this way avoid increasing the number of primary accounts.

32. TRANSPORTATION OF MEN AND MATERIALS.

To this account should be charged the fares of laborers and freight charges on material, outfits, and supplies employed in construction work paid by the railroad company and properly chargeable in expenditures for road, but which can not be correctly charged under any other construction account. This account may include such items as fares of contractors, their walking bosses, paymasters, clerks, and storekeepers; of labor agents; of men hired by labor agencies and shipped out on the line who may be employed on any character of work; freight on powder, dynamite, and other explosives, hay, grain, groceries, and other supplies for contractors, stores to be sold to subcontractors, station men, laborers, and others; and other analogous items.

33. RENT OF EQUIPMENT.

To this account should be charged rent, either on the basis of per diem, mileage, or at fixed rates per month, of all equipment (the cost of which is not charged to the line under construction) used in construction of new lines.

34. REPAIRS OF EQUIPMENT.

To this account should be charged repairs and renewals of all equipment used in construction of new lines, not otherwise provided for.

35. EARNINGS AND OPERATING EXPENSES DURING CONSTRUCTION.

To this account should be charged the cost of operating a piece of road while in charge of the construction department and before it is opened for commercial operation. It includes the cost of running construction, material, or other trains when the cost of operating such trains can not properly be charged to any specific account. To this account should be credited amounts collected for rents of buildings and other properties and for the transportation of commercial freight or passengers on construction, material, or other trains.

36. COST OF ROAD PURCHASED.

To this account should be charged amounts paid for road purchased. In this connection attention is specially directed to the note at the beginning of this classification. Where payment is made by an issue of the company's securities or other commercial paper, the cash value thereof at the time of such payment should be charged.

When the purchase price paid includes equipment, in addition to the road, the equipment received should be appraised and the appraised value thereof should be charged to the appropriate equipment accounts, the difference between same and the total amount paid in cash, or the cash value of securities issued in payment, being charged to this account.

When contracts are entered into for the construction of a completed road for a fixed amount, whether payable in cash or in the company's securities, the amount paid in cash, or the cash value of the securities issued in payment, should be charged to this account. In case the contract amount includes equipment in addition to the road, the value of the equipment should be ascertained by appraisement and treated as above provided.

II. EQUIPMENT.

37. STEAM LOCOMOTIVES.

To this account should be charged the cost of steam locomotives and tenders, including all appurtenances, furniture, and fixtures necessary to equip them for service, purchased or built at the company's shops, including cost of transportation and setting up after receipt from builders.

38. ELECTRIC LOCOMOTIVES.

To this account should be charged the cost of electric locomotives, including all appurtenances, furniture, and fixtures necessary to equip them for service, purchased or built at the company's shops, including cost of transportation and setting up after receipt from builders.

39. PASSENGER-TRAIN CARS.

To this account should be charged the cost of passenger-train cars of all classes, including all appurtenances, furniture, and fixtures necessary to equip them for service, purchased or built at the company's shops, including cost of transportation.

The following cars are classified as passenger-train cars:

Air-brake instruction,
Baggage,
Baggage — express,
Baggage — mail,
Baggage — mail — express,
Buffet,
Business,
Café,
Chair,
Colonist,
Combination passenger and baggage,
Dining,
Express,
Immigrant,
Library,
Mail,
Milk,
Observation,
Officers',
Parlor,
Parlor — baggage,
Passenger,
Passenger — baggage — mail,
Pay,
Postal,
Refrigerator — express,
Smoking,
Street,
Tourist.

40. FREIGHT-TRAIN CARS.

To this account should be charged the cost of freight-train cars of all classes, including all appurtenances, furniture, and fixtures necessary to equip them for service, purchased or built at the company's shops, including cost of transportation.

The following cars are classified as freight-train cars:

Beer,
Box,
Cabin,
Caboose,
Charcoal,
Coal,
Coke,
Dump (commercial, coal or stone),
Flat,
Fruit,
Furniture,
Gondola,
Gondola — hopper,
Gondola — long,
Gun trucks,
Hay,
Lime,
Logging,
Oil tank,
Ore,
Platform,
Poling,
Poultry,
Produce,
Rack,
Refrigerator,
Stock,
Tank and water (when used as commercial cars).

41. WORK EQUIPMENT.

To this account should be charged the cost of all work equipment, including all appurtenances, furniture, and fixtures necessary to equip them for service, purchased or built at the company's shops, including cost of transportation.

If special grading outfits be bought by the railroad company to be used in grading, the cost of such outfits when bought should be charged to account No. 4, "Grading." The proceeds from sale of these outfits, if sold after completion of grading, should be credited to that account. If, however, the outfits be retained and used, account No. 4, "Grading," should be credited with the inventory value thereof on the completion of grading, and this account should be charged therewith.

The following equipment is classified as work equipment:

Ballast,
Ballast, unloaded cars,
Boarding,
Bridge,
Camp,
Cinder,
Concrete mixer,
Derrick,
Dirt spreader,
Ditching,
Dump,
Dynamometer,
Grading,
Gravel,
Indicator,
Locomotive tanks, used permanently as water cars,
Outfit,
Painters,
Pile drivers,
Rail saw,
Salt,
Sanding,
Scale test,
Snow-dozer,
Snow-drags,
Snow-plows (not attached to locomotives, but moved by them),
Sprinkling,
Steam shovels,
Steam wrecking derricks,
Supply,
Sweeper,
Tool,
Tool and block,
Water,
Weed burner,
Wrecking.

42. FLOATING EQUIPMENT.

To this account should be charged the cost of marine or floating equipment of all kinds, including all appurtenances, furniture, and fixtures necessary to equip them for service, purchased or built at the company's shops or yards, including cost of transportation.

The following equipment is classified as floating equipment:

Barges,
Canal boats,
Car and other floats,
Dredges,
Ferryboats,
Lighters,
Power launches,
Power lighters,
Scows,
Steamboats,
Steamships,
Transfer boats,
Tugboats.

III. GENERAL EXPENDITURES.

43. LAW EXPENSES.

To this account should be charged expenditures of the following nature, incurred during the progress of the construction of a road, namely, the pay and expenses of all counsel, solicitors, and attorneys, their clerks and attendants, and expenses of their offices; law books, printing briefs, legal forms, testimony, reports, etc.; fees and retainers for services of attorneys not regular employees of the company; payments to arbitrators for the settlement of disputed questions; costs of suits and payments of special fees, notarial fees, and witness fees; and expenses connected with taking depositions; also all legal and court expenses.

When any of the expenses above enumerated can be charged directly to the account for which incurred, they should be so charged and not to this account.

(Expenses in connection with condemnation of right of way, or station and other grounds, should be charged to account No. 2, "Right of Way and Station Grounds," or account No. 3, "Real Estate.")

44. STATIONERY AND PRINTING.

To this account should be charged cost of stationery, stationery supplies, postage, and printing blank books and forms used by all classes of employees in the prosecution of construction work not otherwise provided for.

45. INSURANCE.

To this account should be charged insurance premiums paid on property of the line under construction and before the road is opened for operation.

NOTE.—Where insured property is damaged or destroyed, the account to which such property was charged should be credited with the amount of insurance recovered in respect thereof.

46. TAXES.

To this account should be charged state, county, township, city, school, road, and all other taxes and assessments levied and paid on property belonging to the corporation, while under construction and before the road is opened for commercial operation, except special taxes assessed for street and other improvements, such as grading, sewering, curbing, guttering, paving, sidewalks, etc., which should be charged to the account to which the property affected was charged.

47. INTEREST AND COMMISSIONS.

To this account should be charged cash commissions, and the actual cash value of other commissions, on securities sold; interest, cash commissions, and the actual cash value of other commissions, on loans effected and on notes issued for money borrowed for construction purposes or for purchase of equipment; interest on

overdue payments to contractors or other creditors; and interest, cash commissions, and the actual cash value of other commissions, and exchange on other commercial paper issued for similar purposes. Interest on bonds and other securities, including equipment bonds or car trust notes, paid or accrued during construction and before line is opened for operation, is chargeable to this account. To this account should be credited all interest received on moneys acquired for purposes of purchase or construction of road or equipment.

48. OTHER EXPENDITURES.

To this account should be charged organization expenses, including the payment of all necessary fees; the cost of printing certificates of stock and bonds, with payments to trustees and expenses incurred in the disposal of securities; salaries and expenses of executive and general officers of a road under construction; clerks in general offices engaged on construction accounts or work; rent and repair of general offices when rented, with the furniture and office expenses; also all items of a special and incidental nature which can not properly be charged to any other account in this classification.

CLASSIFICATION OF OPERATING REVENUES.

I. REVENUE FROM TRANSPORTATION.

1. FREIGHT REVENUE.

This account includes amounts earned by a carrier for the transportation of freight.

To this account should be credited a carrier's proportion of receipts for freight transportation; also overcollections made in excess of proper rates, such overcollections to be held subject to claim. To this account should be charged overcharges paid resulting from the use of erroneous rates, weights, or classification; amounts paid for switching charges absorbed; authorized allowances and localized freight arbitraries; also amounts paid for switching or to transfer companies for completing a haul or effecting store-door deliveries, when the cost of such service is included in the rate charged by the carrier; uncollected earnings on freight destroyed in transit and on short and lost freight; also uncollectible undercharges determined after delivery has been made.

2. PASSENGER REVENUE.

This account includes amounts earned by a carrier for the transportation of passengers.

To this account should be credited a carrier's proportion of receipts from the sale of tickets (including tickets for corpses)

and the collection of cash fares; also overcollections made in excess of determined rates, such overcollections to be held subject to claim. The account should be charged with amounts paid for fares refunded; tickets redeemed; also amounts paid for transferring passengers and baggage between stations or depots, except in cases where the transfer of both passengers and baggage is provided in the division of the through rate.

NOTE A.— Cash fare penalty collections made by conductors and the proportion of amounts collected on sale of mileage tickets and mileage credentials subject to refund should not be credited to Passenger Revenue.

NOTE B.— Passenger Revenue should be credited with interchangeable mileage tickets only as the mileage therefrom is honored for transportation. Receipts from interchangeable mileage books when sold should be credited to an open account, which account should be charged and Passenger Revenue credited as the mileage is honored.

NOTE C.— When a lessee company transports passengers over the tracks of another carrier on the basis of a proportion of revenues, it should include the entire compensation in its revenues and statistics, charging the appropriate joint facilities expense and rental accounts with the amount paid the lessor company, and the lessor company should credit the same accounts.

3. EXCESS BAGGAGE REVENUE.

This account includes amounts earned by a carrier for the transportation of baggage in excess of free authorized allowances; also packages, articles, dogs, etc., usually transported in baggage cars, for which a charge is made. To this account should be charged all baggage refunds.

4. PARLOR AND CHAIR CAR REVENUE.

This account includes amounts earned by a carrier in fares collected from passengers for seats in parlor, observation, chair, and other special passenger cars operated by railroad companies when the expenses of operating such cars are not separable from the expenses of operating trains. To this account should be charged authorized refunds and tickets redeemed.

NOTE.— When the expenses of operating cars of the above classes are separable from the expenses of operating trains, the operation of such cars should be treated as an "Outside Operation."

5. MAIL REVENUE.

This account includes amounts earned by a carrier for the transportation of mails and for the use of railroad post office cars, special facilities, and bonuses for special mail transportation. To this account should be charged fines and penalties imposed by the Government when not collected from agents or employees.

6. EXPRESS REVENUE.

This account includes amounts earned by a carrier for transportransportation of express matter, not including the separate rents tation and for facilities on trains and at stations incident to the

of offices at stations. (See account No. 18, "Rents of Buildings and Other Property.")

When a railroad company transacts an express business through its regular railroad organization, the earnings therefrom should be credited to this account.

7. MILK REVENUE (ON PASSENGER TRAINS).

This account includes amounts earned by a carrier for the transportation of milk and cream on passenger trains. To this account should be charged refunds and overcharges on milk and cream so carried.

8. OTHER PASSENGER TRAIN REVENUE.

To this account should be credited all amounts earned by a carrier incident to the operation of passenger trains not otherwise provided for.

9. SWITCHING REVENUE.

This account includes amounts earned by a carrier for switching service performed on the basis of tariffs. To it should be charged all overcharges on such switching.

10. SPECIAL SERVICE TRAIN REVENUE.

This account includes amounts earned by a carrier for running chartered trains, either on a basis of a rate per mile or a lump sum for the train; for handling circus or theatrical company trains under contract when specific amounts are charged for transportation between designated stations; for running chartered trains for the Federal or State governments carrying troops, munitions of war, camp outfits, etc. To this account should be charged refunds and overcollections on such business.

11. MISCELLANEOUS TRANSPORTATION REVENUE.

To this account should be credited all amounts earned by a carrier from transportation not otherwise provided for.

II. REVENUE FROM OPERATIONS OTHER THAN TRANSPORTATION.

12. STATION AND TRAIN PRIVILEGES.

This account includes a carrier's revenues from weighing, vending, and other automatic machines located at stations; from advertising at stations and on trains; from news companies or others for the privilege of operating news stands at stations and selling papers, periodicals, fruit, etc., on trains; from telephone companies for the privilege of installing and operating commercial telephones at stations; and from other similar sources.

13. PARCEL ROOM RECEIPTS.

This account includes a carrier's revenues from the operation of parcel rooms, the expenses of which are included in operating expenses.

14. STORAGE — FREIGHT.

This account includes a carrier's revenues for storage of freight. To it should be charged authorized refunds.

15. STORAGE — BAGGAGE.

This account includes a carrier's revenues for storage of baggage. To it should be charged authorized refunds.

16. CAR SERVICE.

This account includes amounts accruing as penalties for delay in loading or unloading cars (demurrage). To it should be charged authorized refunds.

17. TELEGRAPH SERVICE.

This account includes a carrier's revenues from commercial telegraph business transacted by it when the expense of transacting such business can not be separated from the expense of conducting the railroad telegraph service; amounts received from telegraph companies, whether proportion of earnings or otherwise, for the privilege of transacting a commercial telegraph business in offices along the carrier's lines, when the carrier furnishes some service of its employees whose wages are included in operating expenses.

NOTE.— When a telegraph company rents the telegraph line of a carrier and pays all expenses incident to its maintenance and operation, the rent received should be treated as Income.

18. RENTS OF BUILDINGS AND OTHER PROPERTY.

This account includes a carrier's revenues from rents of buildings, land, and other property, such as depot and station grounds and buildings, union depots, general and other offices, rooms rented at stations, docks, wharves, ferry landings, elevators, stock yards, fuel yards, repair shops, section and other houses, etc., when such property is used in connection with operations and the expense of maintaining and operating it can not be separated from the expense of that portion used by the carrier.

19. MISCELLANEOUS.

This account includes a carrier's revenues from operations not otherwise provided for; also collections from individuals and companies for the privilege of handling freight and passengers over a carrier's wharves and docks; amounts received from others for mooring and anchoring boats at such wharves and docks, and for water furnished them when the water plant is operated by the carrier; receipts from coal and ore docks, stock yards, and grain elevators when not treated as "Outside Operations;" amounts received as trackage for detouring trains; collections for the use of a carrier's bridge by pedestrians, street car railroads, vehicles, etc., when the expense of maintaining and operating such property can not be separated from the expense of that portion used by the carrier.

NOTE.— When a bridge of one carrier is used by another carrier and such use is paid for either on the basis of a flat rent or a charge per train-mile, or a toll per passenger, per ton, or per car, the revenue therefrom should be credited to appropriate accounts.

CLASSIFICATION OF OPERATING EXPENSES.

I. MAINTENANCE OF WAY AND STRUCTURES.

SUPERINTENDENCE.

This account includes:

PAY OF OFFICERS.— Pay of vice-president or assistant when directly in charge of maintenance of way and structures, chief engineer, assistant chief engineer, chief engineer maintenance of way, engineer maintenance of way, assistant engineer maintenance of way, engineer of bridges and buildings, principal assistant engineer, engineer right of way, architect, division engineer, assistant engineer, assistant division engineer, roadmaster, assistant roadmaster, master carpenter, assistant master carpenter, supervisor, assistant supervisor, fire and sanitary inspector, and other officials engaged in the maintenance of way and structures department.

PAY OF CLERKS AND ATTENDANTS.— Pay of chief and other clerks, draftsmen, rodmen, transitmen, and chainmen, and attendants in offices and on special cars of officers whose pay is charged to this account.

OFFICE AND OTHER EXPENSES.— Rent and cost of repairing rented offices, rent and cost of telephone service, telegraph messages, heat, light, ice, water, furniture, and supplies for offices of officers whose pay is charged to this account; incidental office and traveling expenses of such officers and their clerks; cost of provisions for and expenses of special cars when used by them, and cost of running special trains for officials mentioned; premiums on fidelity bonds of such officers and their assistants; expenses of photographing buildings and structures.

Cost of drafting and engineering instruments and expenses of repairing same and cost of supplies (except stationery and printing) used by officers and employees whose pay is charged to this account.

The following is a list of the more important articles chargeable to this account:

Atlases,
Barometers,
Books, scientific and reference,
Boxes for blueprints,
Boxes for drawing instruments,
Cameras, and supplies for,
Chains,
Compasses,
Curves,
Directories,
Drawing boards,
Drawing Instruments,
Field glasses,
Keel,
Level rods,
Levels,
Magnets,
Magnifiers,
Oilstones,
Pantographs,
Parallel rulers,
Periodicals,
Plane tables,
Planimeters,
Plummets,
Protractors,
Ranging poles,
Reading glasses,
Rods,
Scales,
Section liners,
Sextants,
Slide rules,
Stakes,
Straightedges,
Tacks for drawing boards,

Tally registers,	Thermometers,	Traverse tables,
Tapelines,	Tin boxes for tracings and prints,	Triangles,
Tee squares,	Transits,	Tripods,
Telescopes,		Verniers,

NOTE A.— When employees enumerated above are engaged in work not chargeable to "Maintenance of Way and Structures," their pay and expenses should be charged to the specific work on which engaged.

NOTE B.— When officers and others above enumerated also have supervision over other departments, their salaries and expenses should be apportioned equally between the departments over which they have jurisdiction.

BALLAST.

This account includes all expenses incident to the purchase and production of ballast, as follows: Purchase price of gravel, stone, slag, cinders, sand, and other material used for ballast, including freight charges, if any, and cost of first unloading; payments for gravel and quarry rights and privileges; expenses of sinking test holes; expenses of locomotives and work trains while engaged in delivering ballast at points where used.

When a gravel pit or quarry is to be opened, the operations of which are likely to extend over a long period, an account should be opened designated "Operations of Gravel Pit at ————," or "Operations of Quarry at ————," as the case may be.

To such account should be charged:

(*a*) The excess cost of the land over its estimated value after the gravel or stone has been removed. (Such estimated value being charged to an appropriate capital account.)

(*b*) The expenses for clearing, stripping, draining, and ditching the land, and of moving and changing fences and buildings preparatory to opening.

(*c*) The cost of rails and fastenings, in excess of their estimated scrap value, used in constructing tracks to and in the gravel pit or quarry. (Such estimated scrap value to be carried in an appropriate material account.)

(*d*) The total cost of ties and other material and of labor expended on such tracks.

(*e*) Cost of labor and train service (see account "Roadway and Track") employed in producing, quarrying, and loading ballast, including operations of stationary engines, steam shovels, stone crushers, etc., and watchmen.

(*f*) Repairs of stationary engines, steam shovels, stone crushers, and other similar machinery used in producing ballast.

(*g*) Depreciation of machinery permanently used in gravel pits and quarries.

(*h*) Cost of explosives, hand tools, and miscellaneous expenses.

This "Operations of Gravel Pit" or "Operations of Quarry" account should be credited from month to month with the number of cubic yards used on the basis of the average cost of production, and account "Ballast" or other proper account charged.

The average cost of production should be determined by dividing the total charge to the account of any pit or quarry by the estimated number of cubic yards it contains.

As stripping and other preparatory expenses are not always incurred in full before beginning to take out the gravel or stone, the cost of production should include an estimate of the total of such expenses.

NOTE A.— The cost of loading cinders at ash pits should be charged to account "Enginehouse Expenses — Yard" or account "Enginehouse Expenses — Road."

NOTE B.— The cost of labor putting ballast into track should be charged to account "Roadway and Track."

TIES.

This account includes cost (including inspection) of cross, switch, and bridge ties, head blocks and railroad crossing timbers (plain or treated) for main and repair tracks, sidings, and spurs; in tunnels, stations, shop and other yards; on piers, wharves, track scales, inclines, bridges, trestles, and culverts; to coal chutes, coal pockets, and fuel and water stations (except on inclines to and in fuel stations; on tracks in ballast pits, enginehouses, shops, and storehouses, and on transfer tables and turntables).

NOTE A.—The cost of labor unloading, distributing, and putting ties in track and the expenses of trains distributing ties should be charged to account "Roadway and Track."

NOTE B.—This account may include each month a proportion of the total amount authorized or approximated for renewals during the fiscal year regardless of the month in which the actual renewal is made.

RAILS.

This account includes cost (including inspection) of rails for main and repair tracks, sidings, and spurs; in tunnels, stations, shop and other yards; on piers, wharves, track scales, inclines, bridges, trestles, and culverts; in tracks to coal chutes, coal pockets, and fuel and water stations (except on inclines to and in fuel stations, on tracks in ballast pits, enginehouses, shops, and storehouses, and on transfer tables, turntables, and car floats), less the value of old rails taken up.

NOTE A.— The cost of labor unloading, distributing, and laying rails in track, and the expenses of trains picking up and loading rails taken out of track should be charged to account "Roadway and Track."

NOTE B.— This account may include each month a proportion of the total amount authorized or approximated for renewals during the fiscal year regardless of the month in which the actual renewal is made.

OTHER TRACK MATERIAL.

This account includes cost of all track material not chargeable to ballast, ties, and rails, also expenses of repairing track appliances.

The following is a list of the more important articles chargeable to this account:

Anticreepers,
Angle bars,
Connecting rods,
Derails,
Frog and guard rail blocking,
Frogs,
Guard rails (except on bridges and trestles),
Guard-rail clamps,
Guard-rail fasteners,
Main rods,
Nut locks,
Nuts,
Offset bars,
Rail braces,
Rail chairs,
Rail joints,
Splice bars,
Stands, switch,
Step chairs,
Switch chairs,
Switch crossings, rigid or slip,
Switch lamps,
Switch locks and keys,
Switch points,
Switches,
Switch-stand bolts,
Targets, switch,
Tie plates,
Tie plugs,
Tie-rods,
Track bolts,
Track spikes.

ROADWAY AND TRACK.

This account includes:

APPLYING BALLAST.— Pay of employees engaged in preparing roadbed for the reception of ballast; also pay of employees engaged in applying ballast after it has been prepared and unloaded.

APPLYING TIES.— Pay of employees engaged in unloading, distributing, and renewing cross, switch, and bridge ties, head blocks and railroad crossing timbers, re-spacing ties, and burning old ties.

APPLYING RAILS.— Pay of employees engaged in unloading, distributing, cutting, slotting, drilling, and laying rails, adzing for new rails, gathering and loading old rails, and adjusting expansion and contraction.

APPLYING OTHER TRACK MATERIAL.— Pay of employees engaged in applying rail braces, angle bars, rail joints, track bolts and spikes, nut locks, anticreepers, switches, switch stands, frogs, crossing frogs, tie plates, tie plugs, and other miscellaneous track material not specified above.

TRACK MAINTENANCE.— Pay of employees engaged in alining, surfacing and gaging tracks, placing and removing track shims and tightening bolts and spikes in tracks. When a track is taken up, the labor expended therefor should be charged to this account, whether another track is laid to replace it or not.

CARE OF ROADBED.— Expenses of constructing and cleaning tile and open ditches; cost and expenses of placing and cleaning sewer pipes for drains (cost of sewer pipes laid under tracks should be charged to account "Bridges, Trestles, and Culverts"); cost of material used and labor expended in sloping cuts, blasting rock, widening roadbeds, cuts, fills, and embankments, filling borrow pits, removing slides, dangerous rocks, and other similar obstructions; expenses of operating steam shovels, scrapers, and ditchers while engaged in such work; also expenses of keeping tracks clear and repairing the subgrade of tracks in cases of freshets or washouts and cost of boarding employees so engaged. Cost of labor building temporary tracks around slides and washouts and

removing such tracks; cost of replacing rails, ties, and ballast and repairing other damages caused by washouts to tracks proper or to roadbed; cost of cutting, handling, and placing sod; also landscape gardening and beautifying along roadway (except when chargeable to account "Buildings, Fixtures, and Grounds").

GENERAL CLEANING.— Pay of employees engaged in mowing right of way and burning grass and weeds; cost of operating weed burners, removing brush, grass, and drift from right of way, and removing cinders dumped by passing trains, plowing fire guards, removing weeds from and dressing ballast, cutting sod lines, removing dirt from track yards, cleaning streets used as roadways, and loading and handling track scrap.

PATROLLING AND WATCHING.— Pay of track walkers, track watchmen, patrolmen, employees while extinguishing fires on right of way and adjacent property, and watchmen at bad spots in tracks, slides, and dangerous places. (For pay of bridge watchmen, see account "Bridges, Trestles, and Culverts;" for pay of street crossing watchmen, see account "Crossing Flagmen and Gatemen;" and for pay of tunnel watchmen, see account "Tunnels.")

CHANGING ALINEMENT AND GRADES.— The proportion chargeable to operating expenses of cost of material used and labor expended in changing the alinement and reducing grades.

BANK PROTECTION.— Cost of material used and labor expended in protecting banks by retaining walls, riprap, piling, piers, dikes, or other means, and in constructing breakwaters and revetments, and diverting the channels of streams to prevent cutting, washing, or sliding of embankments.

FILLING.— Cost of material used and labor expended in filling bridges, trestles, culverts, and cattle pits.

OTHER EXPENSES.— Cost of material used and labor expended in paving and improving streets used as roadway, and oiling roadbed; payments of assessments for street repairs, sewers, or other public improvements affecting roadway adjacent thereto, not chargeable to account "Buildings, Fixtures, and Grounds;" expenses incident to track inspection, premiums in connection therewith, and any other roadway or track expenses not provided for elsewhere.

TRAIN SERVICE.— Pay of work-train enginemen, trainmen, and enginehouse men; cost of fuel, stores, and other supplies for work-train locomotives and cars; cost of oil and wicking used in lanterns of work-train enginemen and trainmen while such employees and equipment are engaged in work pertaining to roadway and track.

REMOVAL OF SNOW, SAND, AND ICE.

This account includes the cost of removing snow, sand, and ice from tracks; pay of work-train enginemen, trainmen, and enginehouse men; cost of fuel, stores, and other supplies for work-

train locomotives and cars; cost of oil and wicking used in lanterns of work-train enginemen and trainmen while such employees and equipment are engaged in clearing tracks and hauling snow; wages paid men employed in shoveling snow and picking ice on tracks, and tools specially furnished them for this purpose, and their meals; fuel and stores used by rotary and other snow-plows and other snow and ice clearing appliances and wages of men employed in operating them; cost of repairing snow-plows (other than snow-plow cars which are covered by account "Work Equipment — Repairs,") and flangers and the cost of putting them on and removing them from locomotives and cars, and cost of slatting pilots. Wages paid engineers, firemen, and trainmen held in readiness to go out with snow-plows; payments for use of land on which to place snow fences, and for salt for keeping switches free from ice and snow. Cost of distributing and setting up portable snow fences and gathering them up and loading, hauling, and piling them along the road. (For repairs, see account "Snow and Sand Fences and Snow-sheds.")

TUNNELS.

This account includes cost of repairing tunnels, including the cost of timber and other material, false work, and special tools; pay of tunnel watchmen and cost of supplies used by them; repainting and whitewashing; oil and wicks, and repairs of lamps, lanterns, and electric light fixtures used in lighting. This account does not include renewals or repairs to roadway or tracks through tunnels.

BRIDGES, TRESTLES, AND CULVERTS.

This account includes cost of material used (less salvage) and labor expended in repairing and renewing bridges, trestles, culverts (both substructure and superstructure), piers, abutments, masonry, and drainpipes, including repairs made necessary by washouts; retaining walls, riprapping, and dikes necessary to protect or strengthen bridges and culverts against ice, water, or drift; guards on bridges, framing ties for bridges; bridge signs or number boards; expenses of operating and rent of pile drivers and other equipment engaged in repairing and renewing bridges and culverts; cost of cleaning channels under bridges and cleaning culverts; gravel decking for protection against fire, and altering and bracing bridges and trestles during progress of filling.

Cost of removing old bridges in connection with construction of new bridges, and constructing and removing temporary or false work used in repairing and renewing bridges and culverts.

Pay of bridge foremen and bridge watchmen, except at drawbridges, and cost of all supplies used by them, such as brooms, lanterns, oil, oil cans, pails, rowboats, tallow, waste, and water barrels, and fuel for heating bridge watchhouses; also repairs to and renewals of stationary engines at drawbridges.

Pay of bridge inspectors and expenses incident to bridge inspection.

Pay of work-train enginemen, trainmen, and enginehouse men, and of employees engaged in operating pile drivers; cost of fuel, stores, and other supplies for work-train locomotives and cars, and of oil and wicking used in lanterns of work-train enginemen on work pertaining to bridges and culverts.

NOTE A.—Any structure carrying the tracks over other tracks, a stream, highway, or canal should be considered a bridge or a culvert. The cost of maintaining structures carrying other tracks, canals, highways, etc., over a carrier's tracks should be charged to account "Over and Under Grade Crossings."

NOTE B.— This account may include each month a proportion of the total amount authorized or approximated for renewals during the fiscal year regardless of the month in which the actual renewal is made.

NOTE C.— Insurance recovered on bridges, trestles, and culverts should be credited to this account.

OVER AND UNDER GRADE CROSSINGS.

This account includes cost of material used (less salvage) and labor expended in repairing and renewing overhead bridges and viaducts of all kinds (except station overhead footbridges not public highways), log chutes and rollways erected over the tracks of a carrier, and roadways of under grade crossings, foot or wagon (except subways not public highways); cost of drainage and excavations for under grade crossings; expenses of opening public roads for purposes of eliminating grade crossings.

GRADE CROSSINGS, FENCES, CATTLE GUARDS, AND SIGNS.

This account includes:

HIGHWAY GRADE CROSSINGS.— Cost of material used (less salvage) and labor expended in repairing and renewing street and road (including farm) crossings at grade, crossing drains, crossing gates, crossing signal bells, and batteries with track instruments and connections; and warning signals; cost of water pipes, water and hose for sprinkling grade crossings; and payments of assessments for street repairs or sewers at crossings. (Street repairs or sewers within the limits of shop grounds or immediately adjacent to station buildings should be charged to account "Buildings, Fixtures, and Grounds.")

FENCES AND CATTLE GUARDS.— Cost of material used (less salvage) and labor expended in repairing and renewing right of way fences, cattle guards, wing fences, aprons, and hedges.

SIGNS.— Cost of yard-limit signs; subdivision boards; mile, section, whistle, water station, water trough, slow, stop, and boundary posts; overhead bridge and tunnel cautions; monument stones, and all other roadway signs.

NOTE.— The cost of station and telegraph signs, fences, and hedges around building sites and shop grounds, and of paving sidewalks, streets, and driveways within the limits of or immediately adjacent thereto, should be charged to account "Building, Fixtures, and Grounds."

SNOW AND SAND FENCES AND SNOW-SHEDS.

This account includes all expenses of repairing, renewing, and replacing permanent and portable snow and sand fences (except when the permanent fence takes the place of right of way fence, in which case the expense should be charged to the account "Grade Crossings, Fences, Cattle Guards, and Signs"), snow-sheds, including necessary rock filling, and cost of protecting from fire; pay of snow-shed watchmen and cost of supplies used by them, cost of planting and caring for trees to protect track from snow.

NOTE.— The cost of distributing and setting up portable snow fence panels, and gathering, loading, hauling, unloading, and piling should be charged to account "Removal of Snow, Sand, and Ice."

SIGNALS AND INTERLOCKING PLANTS.

This account includes:

INTERLOCKING PLANTS.— Cost of material used (less salvage) and labor expended in repairing and renewing the buildings and all appliances of interlocking plants, power interlocking plants, and all machinery such as air compressors, levers, boilers, dynamos, engines, and machinery and fixtures used in connection therewith.

SIGNALS.— Cost of material used (less salvage) and labor expended in repairing and renewing block, automatic, and semi-automatic signals.

OTHER EXPENSES.— Cost of material used (less salvage) and labor expended in repairing and renewing home and distant signals, signal posts, signal bridges, semaphores, train-order signals or order boards, and flag-station signals, gates at crossings of other railroads, and all other road or track signals not provided for above, used in the government of the movement of trains, including signal lamps and their connections. Pay of signal engineers and supervisors of signals and their assistants, their office and traveling expenses; also pay of mechanics and laborers and cost of special tools while engaged in repairing and renewing interlocking plants and signals.

NOTE.— This account does not include the cost of maintaining and renewing track material proper required in connection with interlockers, such as switches, special track fastenings, split rails, frogs, etc., which costs should be charged to account "Other Track Material."

TELEGRAPH AND TELEPHONE LINES.

This account includes:

TELEGRAPH.— Cost of material used (less salvage) and labor expended in repairing and renewing telegraph lines owned by a carrier, or for which it is responsible; also cost of conduits poles, cross-arms, wire, insulators, cables, cable boxes, instruments, battery jars, switch boards, and all other appurtenances forming a part of the plant. Pay of chief line repairmen, linemen, and other employees, and cost of special tools used by them;

also pay, office and traveling expenses of superintendent and assistant superintendent of telegraph, their clerks and attendants.

TELEPHONE.— All expenses similar to the above, incurred in connection with telephone lines, and telephone boxes on telegraph and telephone poles.

Pay of work-train enginemen, trainmen, and enginehouse men, and other employees; cost of fuel, stores, and other supplies for work-train locomotives and cars, and of oil and wicking used in lanterns of work-train enginemen and trainmen, while such employees and equipment are engaged on work pertaining to telegraph and telephone lines.

NOTE.— The salaries and expenses of superintendents and assistant superintendents of telegraph and their clerks when engaged in both maintaining and operating telegraph and telephone lines should be charged 50 per cent. to account "Telegraph and Telephone Lines" and 50 per cent. to account "Telegraph and Telephone — Operation."

ELECTRIC POWER TRANSMISSION.

This account includes cost of material used (less salvage) and labor expended in repairing and renewing all appliances for transmitting power from power houses and substations to the place where it is to be applied; covers span, guard, feed, and overhead trolley wires, poles, cross-arms, brackets, insulators and connections; third rail, including braces, supports, and devices for insulating, covering, or protecting; bonding rails, including connecting plugs, insulating mats, plugs, or other devices; switch boards, switches, cut-outs, transformers, etc. (except at power and substations); pay of electricians, mechanics, and other employees engaged in repairing and renewing electric power transmission lines; also pay of work-train motormen, enginemen, trainmen, and enginehouse men and other employees, and cost of fuel, electric current, stores and other supplies for work-train locomotives and cars, and of oil and wicking used in lanterns of work-train enginemen and trainmen while such employees and equipment are engaged on work pertaining to electric power transmission lines.

BUILDINGS, FIXTURES, AND GROUNDS.

This account includes all expenses incident to repairing and renewing buildings owned by a carrier and used in its operations (not otherwise provided for herein), and maintaining driveways and grounds connected therewith, as follows:

BUILDINGS.— Cost of material used (less salvage) and labor expended in repairing and renewing buildings and platforms; also station subways and station overhead footbridges not public highways, and stairways for approaches to stations; and in painting, glazing, graining, varnishing, papering, calcimining and decorating buildings; signs on buildings; building permits; cost of land for buildings when chargeable to expenses; removing old structures, and removing snow from roofs of buildings.

The following is a list of the more important structures classified as buildings:

Air-compressing houses,
Baggage rooms,
Bins for material,
Boarding houses,
Breakwaters for protection of buildings,
Buildings and rooms for trainmen,
Buildings on piers,
Carpenter shops,
Car sheds,
Coal chutes,
Coal chute, engine-house,
Coal chute, inclines (including tracks thereon),
Coal hoists,
Coaling platforms,
Dry houses,
Dwellings,
Eating houses,
Elevators,
Enginehouses,
Express buildings,
Fire-engine houses,
Foundries,
Fuel houses or stations,
Gas compressing houses,
General offices,
Grain cribs,
Grain elevators,
Grain warehouses,
Greenhouses,
Hand-car houses,
Hay houses,
Hose houses,
Houses for oil and lanterns used by trainmen,
Ice houses,
Laboratories,
Lumber sheds,
Mail cranes,
Milk stands,
Offices,
Offices, general,
Oil houses,
Outhouses,
Planing mills,
Platforms, passenger,
Platforms, freight,
Power houses,
Power houses for electric traction lines,
Pump houses,
Reading rooms,
Repair shops,
Rooms for Y.M.C.A.,
Roundhouses,
Sand houses,
Scrap bins,
Section houses, dwelling,
Shops, blacksmith,
Shops, car,
Shops, machine,
Stables,
Station platforms,
Station signs,
Station subways,
Station stairways,
Stations, freight,
Stations, passenger,
Stock pens,
Storehouses,
Switch-tender houses,
Tanks, gas,
Tanks, oil,
Tanks, water,
Telegraph offices,
Test rooms,
Tool houses,
Track scales,
Transfer houses,
Waiting rooms,
Warehouses,
Wash rooms,
Watchhouses,
Water stations.

FIXTURES.— Cost of fixtures (less salvage), such as bunks, counters, file cases, ice chests, railings, shelving, washbowls, water coolers, etc., when immovable and built in as a part of the structure; also cost of repairing and renewing such fixtures.

MACHINERY.— Cost of material used (less salvage) and labor expended in repairing and renewing machinery and structures (except tools and machinery chargeable to accounts "Signals and Interlocking Plants," "Shop Machinery and Tools," and "Power Plant Equipment") used in connection with buildings, such as air compressers, armatures and fields, ash buckets, ash hoists, belting, boilers, chutes, cisterns, coal buckets, coal buggies, coal pockets, cranes, derricks, dump cars for fuel plants, dynamos and parts, fire engines, fire extinguishers, fire hose, gas pumps, hoists, hose carts, hose reels, hydrants, hydraulic rams, pipe lines, pumps, sand driers, scales for weighing fuel, screens, shafting, standpipes, stationary engines, steam pipes, switch boards and parts (except telegraph and telephone), tipples, track tanks, trestles, water troughs, windmills, and wood racks.

OTHER EXPENSES.— Cost of material used (less salvage) in repairing and renewing transfer tables and turntables, including tracks thereon, cinder pits, drop pits, tracks in engine-

houses, shops, and storehouses and on inclines of fuel stations, framework for shafting, foundations for machinery, and stationary scales of all kinds, including foundations, platforms, supports for dead rails, beams, weights, and all fixtures and appurtenances; also the cost of draining scale pits and testing and inspecting scales; expense of protecting pipes, and of drilling, testing, and prospecting for water supply, and payments for permanent water rights.

Cost of material used (less salvage) and labor expended in repairing and renewing stationary fixtures used in connection with heating and lighting buildings; such as arc lamps, chandeliers, electric light fixtures, electric light wiring, electroliers, furnaces, gas burners, box lamps at stations, lamps when permanently attached to buildings, pipes, radiators, and registers.

Cost of repairing and renewing stationary fixtures used for supplying buildings with water, or for draining; water pipes, water closets, and washstands; freight and passenger elevators; piping, hydrants, and other permanent fixtures for cleaning, heating, and lighting cars; ore and coal conveyors; cleaning sewers, framing cross-ties for water troughs, protection against fire, such as water mains and fire plugs; also protecting buildings and grounds against floods and washouts by means of walls and embankments.

GROUNDS.— Cost of material used (less salvage) and labor expended in repairing and renewing fences, hedges, walls, sidewalks, and streets within the limits of shop grounds, or immediately adjacent to buildings, not provided for elsewhere; fences between tracks at stations; and driveways and alleys used for receipt or delivery of passengers or freight at stations or in yards; dams, ponds, reservoirs, and wells. Payments of assessments for street repairs, sewers, or other public improvements affecting building sites and shop grounds. Cost of laying out, cleaning (except ordinary cleaning performed by station cleaners), grading, draining, mowing, and beautifying shop and station grounds, and landscape gardening (including cost of plants at such grounds); also cost of trees and shrubs, and of maintaining and operating nurseries. Pay of subdivision foremen, work-train enginemen, trainmen, and enginehouse men, and of employees engaged in operating steam shovels, scrapers, pile drivers, and ditchers; cost of fuel, stores, and other supplies for work-train locomotives and cars, and oil and wicking used in lanterns of work-train enginemen and trainmen while such employees and equipment are engaged on work pertaining to buildings and grounds.

NOTE A.— This account may include each month a proportion of the total amount authorized or approximated for renewals during the fiscal year regardless of the month in which actual renewal is made.

NOTE B.— Insurance recovered on buildings, fixtures, and grounds should be credited to this account.

NOTE C.— This account should not include costs of repairing and renewing buildings, fixtures, and grounds, the operations of which are included in "Outside Operations."

DOCKS AND WHARVES.

This account includes cost of material used (less salvage) and labor expended in repairing and renewing docks, wharves, piers, and other landings, ferry slips, transfer bridges, pontoons, slips, bulkheads, jetties, and inclines thereto, including filling, strengthening, bracing, and painting; expenses of operating pile drivers, tugs, barges, and floats, while engaged on such work.

Cost of dredging about docks, piers, bulkheads, and ferry slips, or for approaches to such properties, and removing material dredged out; expenses of operating dredges, mud scows, barges, and floats, and pay of crews, divers, and pilots while engaged on such work; cost of crib work, racks, or caissons constructed for preserving the depth of water secured by dredging; cutting ice around docks and wharves to prevent damage; guard and other piling and protection from damage by drift or ice; also pay of supervisors of docks and wharves.

Pay of work-train enginemen, trainmen, and enginehouse men, and of employees engaged in operating pile drivers, dredges, and tugboats; cost of fuel, stores, and other supplies for work-train locomotives and cars, and of oil and wicking used in lanterns of work-train enginemen and trainmen while such employees and equipment are engaged on work pertaining to docks and wharves.

NOTE A.— Cost of maintenance of tracks and buildings on docks and wharves should be charged to other appropriate accounts herein provided.

NOTE B.— This account should not include costs of repairing and renewing docks and wharves the operations of which are included in "Outside Operations."

ROADWAY TOOLS AND SUPPLIES.

This account includes cost of roadway tools when chargeable to expenses (except tools otherwise provided for) and cost of all material used (less salvage), and labor expended in repairing and renewing all tools, implements, flags, and lanterns used in repairing roadway, tracks, interlocking plants and signals, electric traction lines, fences, road crossings, signs, telegraph lines, bridges, culverts, buildings, and other structures.

Cost of oil, waste, or like material used on hand cars and hand trucks, oil and wicking used in lanterns of track walkers, track watchmen, or patrolmen; ice and oatmeal for drinking water of track repair men; and heating and lighting subdivision tool houses.

The following is a list of the more important roadway tools chargeable to this account:

Adzes,
Anvils,
Augers,
Axes,
Ballast forks,
Bars, claw,
Bars, crow,
Bars, alining,
Bars, pinch,
Bars, raising,
Bars, tamping,
Braces and bits,
Brooms,
Brush hooks,
Cables,
Cable stretchers,
Cans, oil,
Cans, water,
Cant hooks,
Cars, hand,
Cars, lever,
Cars, motor inspection,
Cars, push,
Chains,
Chisels, track,
Curbing hooks,
Dippers,
Drawing knives,
Drill bits,
Drills,
Engines, hoisting,
Flags, signal,
Furnaces, portable,
Grindstones,
Hammers, napping,
Hammers, paving,
Hammers, spiking,
Handles, adz,
Handles, ax,
Handles, hatchet,
Handles, maul,
Handles, pick,
Hatchets,
Hoes,
Hydraulic outfits,
Jack levers,
Jacks, hydraulic,
Jacks, ratchet,
Jacks, screw,
Kegs, water,
Lanterns and fixtures,
Lawn mowers,
Levels,
Lines for ditching,
Lines, tape,
Nippers,
Oilstones,
Padlocks,
Pails, water,
Paint brushes,
Picks, clay,
Picks, tamping,
Pike poles,
Pile drivers, not on cars,
Plows,
Post-hole diggers,
Post-hole tampers,
Punches,
Rail benders,
Rail tongs,
Rail unloaders,
Rakes,
Ratchet drills,
Rock crushers,
Rope,
Saws, crosscut,
Saws, hand,
Scrap boxes,
Scythes,
Shovels,
Shovels, coal,
Shovels, railroad,
Sickles,
Signal lanterns,
Sledges,
Spades,
Spike mauls,
Spike pullers,
Spot boards,
Squares,
Straightening machines,
Stone drills,
Switch ropes (when used in repairing roadway),
Tapelines,
Thermometers for laying rail,
Timber trucks,
Tongs,
Tool boxes,
Torches,
Track gages,
Track jacks,
Track levels,
Velocipedes,
Vises,
Weed spuds,
Wheelbarrows,
Whetstones,
Wood chisels,
Wood mallets,
Wrenches, monkey,
Wrenches, track.

WORK EQUIPMENT — REPAIRS.

This account includes cost of material used (less salvage) and labor expended in repairing, painting, and lettering work or service equipment of all classes (see list under this account), furniture for cabin or caboose cars, and fixtures for all work or service cars, including cost of renewing same; such as bunks, coal boxes, coal hods, curtains, cushions, lamp fixtures, links and pins, screens, stoves, and fixtures; also cost of repairing commercial cars and locomotives when assigned to and in maintenance of way service; changes made in such cars to fit them for work service, and refitting them for commercial service; cost of repairing floating equipment used in maintenance or construction of a carrier's property, such as floating pile drivers, dredges, scows, etc.; cost of supervision, cutting up condemned

work cars, and repairing cars of foreign lines damaged on the line while in a carrier's work service; material used by car inspectors and car repair men while engaged in inspecting and making light repairs; small hand tools used exclusively in inspecting and repairing work equipment; expenses of fitting cars with devices for special maintenance of way work; traveling expenses of employees whose pay is chargeable to this account; payments of royalties or for patent rights on brakes, brake fixtures, and other appliances used on work or service equipment; and payment for cars of foreign lines destroyed on the line while in a carrier's work service; also proportion of shop expenses as provided in note following account "Other Expenses" under head of "Maintenance of Equipment."

The value of old material released during repairs, insurance recovered, and repayments from other railroads should be credited to this account.

The following equipment is classified as work equipment:

Ballast,	Outfit,	Sprinkling,
Ballast, unloaded cars,	Painters,	Steam shovels,
Boarding,	Pile drivers,	Steam wrecking derricks,
Bridge,	Rail saw,	Supply,
Camp,	Scale test,	Sweeper,
Cinder,	Snow-dozer,	Tool,
Derrick,	Snow-drag,	Tool and block,
Ditching,	Snow-plows (not attached to locomotives but moved by them),	Water,
Dump,		Weed burner,
Grading,		Wrecking.
Gravel,		

NOTE A.— The word "repairs" as here used includes all repairs to or renewals of parts of work equipment commonly known as running repairs; also repairs or renewals of the more important or vital parts of work equipment, the necessity for which is caused by breakage or failure while in service; also the repairs to work equipment damaged through accident or otherwise necessary to restore it to service; and also renewals of important or vital parts made necessary by reason of age or wear and tear from use.

NOTE B.— The cost of repairing work equipment of foreign lines waybilled as freight, damaged in transit, should be charged to account "Loss and Damage — Freight;" and damage to work equipment of foreign lines having trackage rights over a carrier's lines, damaged in collision or wrecks for which a carrier is liable, should be charged to account "Damage to Property."

WORK EQUIPMENT — RENEWALS.

This account includes the original cost (estimated, if not known), record value, or purchase price of all work equipment condemned, destroyed, or sold, less:

(*a*) Amount previously charged for depreciation up to date of retirement;

(*b*) Scrap value of salvage or the amount received from sale of work equipment retired.

NOTE.— The term "record value" should not be interpreted to mean the value of equipment as it stands in the capital account, unless that account represents the original value of the equipment on hand.

WORK EQUIPMENT — DEPRECIATION.

This account includes a monthly charge of one-twelfth (1-12) of per cent. per annum of the original cost (estimated, if not known), record value, or purchase price of work equipment, to provide a fund for replacement when retired.

INJURIES TO PERSONS.

This account includes all expenses incident to injuries to persons when caused directly in connection with maintenance of way and structures; proportion of salaries and expenses of physicians and surgeons, expenses of undertakers, nursing and hospital attendance, medical and surgical supplies, artificial limbs, funeral expenses, railway and carriage fares for conveying injured persons and attendants; also proportion of pay and expenses of claim adjusters and their clerks, and pay and expenses of employees and others called in consultation in relation to the adjustment of claims coming under this head.

NOTE A.— Witness fees and other expenses in connection with the conduct of suits should be charged to account "Law Expenses," but the amount of final judgments, including plaintiffs' court costs, should be charged to this account.

NOTE B.— When contributions are made to hospitals, the total thereof should be distributed to the several "Injuries to Persons" accounts as follows: 25 per cent. to "Maintenance of Way and Structures," 25 per cent. to "Maintenance of Equipment," and 50 per cent. to "Transportation Expenses."

NOTE C.— The pay and expenses of claim adjusters, clerks, chief surgeons, and others whose pay can not be actually allocated to any case, should be divided equally between personal injury and other claims over which they have jurisdiction.

STATIONERY AND PRINTING.

This account includes the cost of stationery, stationery supplies, printing, books, and blank forms used in connection with "Maintenance of Way and Structures." (Dictionaries, periodicals, technical books, etc., should be charged to account "Superintendence.")

The following is a list of the more important items chargeable to this account:

Adding machines,
Addressographs and supplies,
Arm rests,
Binders,
Blank books,
Blank cards,
Blank forms,
Blank paper,
Blank tablets,
Blotters,
Blotting paper,
Blue print paper,
Books for field notes,
Bristol board,
Calculating machines,
Calendars,
Caligraphs,
Carbon paper,
Cardboard,
Cards,
Circulars,
Computing tables,
Copy (impression) books,
Copying brushes,
Copying presses,
Crayons,
Cross-section books,
Cross-section paper,
Cyclostyles,
Dating stamps and ribbons,
Drawing paper,
Duplicators,
Electric pens,
Envelopes,
Erasers, rubber and steel,

Eyelets,
Eyelet punches,
Forms,
Glass pens,
Hektographs,
Indexes,
Ink for writing and drawing,
Inkstands,
Invoice books,
Legal-cap paper,
Letter paper,
Manifold paper,
Manifold pens,
Mimeographs,
Mucilage,
Mucilage brushes,
Neostyles,
Note paper,
Notices,
Numbering stamps,
Oil paper,
Orders,
Paper,
Paper baskets,
Paper clips,
Paper cutters,
Paper fasteners,
Paper files,
Paper weights,
Papyrographs,
Parchment paper,
Pencils for writing and drawing,
Pencil sharpeners,
Pens for writing and drawing,
Penholders,
Penracks,
Pins,
Postage,
Printed cards,
Printed tablets,
Profile books and paper,
Punches (not conductors' or baggagemen's),
Rubber bands,
Rubber stamps,
Rulers,
Ruling pens,
Scrapbooks,
Sealing wax,
Seals,
Shears,
Shipping tags,
Shorthand notebooks,
Sponges,
Sponge cups,
Stamps, impression,
Stylographs,
Tablets,
Tape,
Telegraph blanks,
Tissue (impression) paper,
Tracing cloth,
Tracing paper,
Twine,
Typewriters and ribbons,
Wastebaskets,
Water colors,
Water holders,
Wage tables,
Wrapping paper,
Wringers for copying presses.

INSURANCE.

This account includes all premiums made or paid by a carrier to its insurance fund and premiums (except reinsurance premiums) paid by it to insurance companies for insuring buildings, and other structures, work equipment of all classes, other property, and persons against loss, damage, or injury by fire, accident, or other causes when such loss, damage, or injury would otherwise be chargeable to "Maintenance of Way and Structures."

NOTE A.—The premiums paid by a carrier to its insurance fund should be credited on its books to an "Insurance Fund" account, to which the amount of all claims for damages to the property covered by its insurance should be charged. To such account should be charged all reinsurance premiums paid insurance companies, and to it should be credited all amounts recovered from insurance companies for damage to property reinsured by them.

NOTE B.—Appropriations made by a carrier to its insurance fund through Income Account should be credited directly to its "Insurance Fund" account.

OTHER EXPENSES.

This account includes all expenses in connection with maintenance of way and structures not properly chargeable to other "Maintenance of Way and Structures" accounts.

MAINTAINING JOINT TRACKS, YARDS, AND OTHER FACILITIES — DR.

This account includes a carrier's proportion of costs incurred to maintain joint tracks, yards, terminals, and other facilities maintained by other corporations.

NOTE.— The purpose of this account is to show the amounts accruing against a carrier for its proportion of the expense of maintaining joint tracks, yards, and other way and structure facilities maintained by other corporations, but in the joint use of which a carrier participates. The bill rendered by any creditor against a debtor for the latter's proportion of expense of operation of joint facilities should show the distribution of the total charge among the general accounts as made by the creditor, and such distribution should be adhered to by the debtor.

MAINTAINING JOINT TRACKS, YARDS, AND OTHER FACILITIES — CR.

This account includes the proportion of costs to maintain joint tracks, yards, terminals, and other facilities maintained by a carrier chargeable to other corporations.

NOTE.—The purpose of this account is to show the amounts accruing in favor of a carrier against other corporations for their proportion of the expense of maintaining joint tracks, yards, and other way and structure facilities maintained by a carrier, but in the joint use of which other corporations participate. The bill rendered by any creditor against a debtor for the latter's proportion of expense of operation of joint facilities should show the distribution of the total charge among the general accounts as made by the creditor, and such distribution should be adhered to by the debtor.

II. MAINTENANCE OF EQUIPMENT.

SUPERINTENDENCE.

This account includes:

PAY OF OFFICERS.— Pay of vice-president or assistant when directly in charge of equipment, general superintendent of motive power, assistant to general superintendent of motive power, mechanical superintendent, superintendent of motive power, mechanical engineer, assistant mechanical engineer, chief chemist, engineer of tests, assistant engineer, supervisor of car department, electrical engineer, assistant electrical engineer, chemist, assistant chemist, master car builder, master mechanic, general foremen, chief car inspector, traveling boiler inspector, general car inspector, and other officials engaged in the maintenance of equipment department.

PAY OF CLERKS AND ATTENDANTS.— Pay of chief motive power clerk, chief and other clerks, motive power clerks and their assistants, shop clerks, draftsmen, and attendants in offices and on special cars of officers whose pay is charged to this account.

OFFICE AND OTHER EXPENSES.— Rent and cost of repairing rented offices, rent and cost of telephone service, telegraph messages, heat, light, ice, water, furniture, and supplies for offices

of officers whose pay is charged to this account; incidental office and traveling expenses of such officers and their clerks; cost of provisions for and expenses of special cars when used by them; and cost of running special trains for officials mentioned; premiums on fidelity bonds, and dues of such officers and their assistants for membership in master mechanics' and master car builders' associations.

Cost of drafting and engineering instruments and expenses of repairing them; also cost of supplies (except stationery and printing) used by officers and employees whose pay is charged to this account, such as atlases, barometers, books — scientific and reference, boxes for blue prints, boxes for drawing instruments, cameras and supplies therefor, compasses, surveys, directories, drawing boards, drawing instruments, field glasses, magnifiers, oilstones, pantographs, parallel rulers, periodicals, plane tables, planimeters, reading glasses, scales, slide rules, straightedges, tacks for drawing boards, tapelines, tee squares, telescopes, thermometers, tin boxes for tracings and prints, triangles, tripods, and verniers.

NOTE A.—When employees enumerated above are engaged on construction or other work not chargeable to "Maintenance of Equipment," their pay and expenses should be charged to the specific work on which engaged.

NOTE B.—When officers and others above enumerated also have supervision over other departments, their salaries and expenses should be apportioned equally between the departments over which they have jurisdiction.

STEAM LOCOMOTIVES — REPAIRS.

This account includes cost of material used (less salvage) and labor expended in repairing steam locomotives and tenders, and fixtures thereof (except as otherwise provided for); such as air signal equipment, including hose, arm rests, awnings, brake fixtures, cab and steam-gage lamps, cab cushions, clocks, coal boards, fire extinguishers permanently attached to locomotives, gongs, head lamps, pneumatic sanding equipment, seat boxes, speed recorders, steam and other power brakes, steam-heat appliances, including hose and all other appliances of like nature, storm doors, tool boxes; also cost of supervision; pay of locomotive inspectors engaged in inspecting all parts of locomotives and tenders (except pay of smokestack and ash-pan inspectors, which should be charged to account "Enginehouse Expenses — Yard" or "Enginehouse Expenses — Road"); pay of employees engaged in sponging tender, driving and truck boxes of locomotives undergoing repairs in shops (but pay of employees similarly engaged on locomotives not undergoing repairs in shops should be charged to account "Enginehouse Expenses — Yard" or "Enginehouse Expenses — Road"), and cost of cutting up condemned locomotives and tenders; small hand tools used exclusively in locomotive repairs; special service, such as bringing locomotives to shops or watching them while on the way to shops for repairs,

and trying locomotives after having been repaired; traveling expenses of employees whose pay is chargeable to this account; and payments of royalties, or for patent rights on brakes, brake fixtures, and other appliances used on locomotives; also proportion of shop expenses as provided in note following account "Other Expenses."

The value of old material released during repairs and insurance recovered should be credited to this account.

NOTE A.—The word "repairs" as here used includes all repairs on or renewals of parts of locomotives and tenders commonly known as steam locomotive fixtures or attachments, and classified as running or roundhouse repairs; also repairs to or renewals of the more important or vital parts of locomotives and tenders, the necessity for which is caused by breakage, failure, or accident while in service; also the repairs to a steam locomotive or tender damaged through accident or otherwise, necessary to restore it to service; and also renewals of important or vital parts made necessary by reason of age or wear and tear from use.

NOTE B.—The cost of repairing steam locomotives and tenders of foreign lines waybilled as freight, damaged in transit, should be charged to account "Loss and Damage—Freight;" and the cost of repairing steam locomotives of foreign lines having trackage rights over a carrier's line, damaged in collision or wreck for which a carrier is liable, should be charged to account "Damage to Property."

STEAM LOCOMOTIVES — RENEWALS.

This account includes the original cost (estimated, if not known), record value, or purchase price of all steam locomotives condemned, destroyed, or sold, less:

(*a*) Amount previously charged for depreciation up to date of retirement;

(*b*) Scrap value of salvage or the amount received from sale of steam locomotives retired.

NOTE A.— Electric locomotives permanently retired from service, but held, pending disposition, should be written out of service through this account, and carried in an appropriate material account at a nominal valuation, or at actual scrap value if determinable.

NOTE B.—The term "record value" should not be interpreted to mean the value of equipment as it stands in the capital account, unless that account represents the original value of the equipment on hand.

STEAM LOCOMOTIVES — DEPRECIATION.

This account includes a monthly charge of one-twelfth (1-12) of per cent. per annum of the original cost (estimated, if not known), record value, or purchase price of steam locomotives, to provide a fund for replacement when retired.

ELECTRIC LOCOMOTIVES — REPAIRS.

This account includes all costs analogous to those set forth under the account "Steam Locomotives — Repairs."

NOTE A.—The word "repairs" as here used includes all repairs to or renewals of parts of electric locomotives commonly known as fixtures or attachments, and classified as running or roundhouse repairs; also repairs to or renewals of the more important or vital parts of electric locomotives, the necessity for which is caused by breakage, failure, or accident while in service; also repairs to an electric locomotive, damaged through accident or otherwise, necessary to restore it to service; and also renewals of important or vital parts made necessary by reason of age or wear and tear from use.

NOTE B.—The cost of repairing electric locomotives of foreign lines waybilled as freight, damaged in transit, should be charged to account "Loss and Damage—Freight;" and the cost of repairing electric locomotives of foreign lines having trackage rights over a carrier's line, damaged in collision or wreck for which a carrier is liable, should be charged to account "Damage to Property."

ELECTRIC LOCOMOTIVES — RENEWALS.

This account includes the original cost (estimated, if not known), record value, or purchase price of all electric locomotives condemned, destroyed, or sold, less:

(*a*) Amount previously charged for depreciation up to date of retirement;

(*b*) Scrap value of salvage or the amount received from sale of electric locomotives retired.

NOTE A.— Electric locomotives permanently retired from service, but held, pending disposition, should be written out of service through this account, and carried in an appropriate material account at a nominal valuation, or at actual scrap value if determinable.

NOTE B.—The term "record value" should not be interpreted to mean the value of equipment as it stands in the capital account, unless that account represents the original value of the equipment on hand.

ELECTRIC LOCOMOTIVES — DEPRECIATION.

This account includes a monthly charge of one-twelfth (1-12) of per cent. per annum of the original cost (estimated, if not known), record value, or purchase price of electric locomotives, to provide a fund for replacement when retired.

PASSENGER-TRAIN CARS — REPAIRS.

This account includes cost of material used (less salvage) and labor expended in repairing, painting, varnishing, finishing, and lettering railway passenger-train cars of all classes (see list under this account), and cost of repairing and renewing furniture and fixtures thereof, such as brake gear, carpets, cases, chairs, coal boxes, coat hooks, curtains, cushions, electric bells, ice boxes, ice tanks, lamp canopies, lamps, (except signal or train), linoleum, mail catchers, mats, matting, pigeon-holes, racks, ranges, rugs,

signal and bell cord hangers, speed recorders, stoves, tiles, water tanks; cost of material used and labor expended in cleaning or scrubbing preparatory to painting; scraping and burning off old paint; reupholstering seats and chairs; rewiring, repairing, and renewing curtains and fixtures; cost of electric lighting fixtures permanently attached to cars; gas tanks, gas gages, and gas, oil, and carbureter lamps; piping and other permanent fixtures used in gas lighting; all appliances used in carbureter lighting permanently attached to and forming part of a car; steam pipes, radiators, and other permanent appliances for heating cars, including steam-heat hose; also cost of supervision; pay of car inspectors while engaged in inspecting passenger-train cars, and cost of cutting up such cars when condemned; also repairs made to passenger-train cars of foreign lines in service of a carrier for which it is responsible. Cost of testing air brakes; material used by car inspectors and car repair men while engaged in inspecting and making light repairs to cars at stations, yards, and elsewhere. Cost of small hand tools used exclusively in inspecting and repairing passenger-train cars; traveling expenses of employees whose pay is chargeable to this account, and payments of royalties, or for patent rights on brakes, brake fixtures, and other appliances used on passenger-train cars; payments to foreign lines for passenger-train cars belonging to such lines destroyed on the line of a carrier while in its service; also proportion of shop expenses as provided in note following account "Other Expenses."

The value of old material released during repairs, insurance recovered, and repayments from other roads, should be credited to this account.

The cost of repairing special features of passenger-train cars, the operations of which are treated as "Outside Operations," should not be charged to this account.

The following cars are classified as passenger-train cars:

Air-brake instruction,	Combination passenger and baggage,	Parlor — baggage,
Baggage,	Dining,	Passenger,
Baggage — express,	Express,	Passenger — baggage — mail,
Baggage — mail,	Immigrant,	Pay,
Baggage — mail — express,	Library,	Postal,
Buffet,	Mail,	Refrigerator — express,
Business,	Milk,	Smoking,
Café,	Observation,	Street,
Chair,	Officers',	Tourist.
Colonist,	Parlor,	

NOTE A.— The word "repairs" as here used includes all repairs to or renewals of parts of passenger-train cars, commonly known as fixtures or attachments and classified as running repairs; also repairs to or renewals of the more important or vital parts of passenger-train cars, the necessity for which is caused by breakage or failure while in service; also the repairs to passenger-train cars, damaged through accident or otherwise, necessary to restore them to service; and also renewals of important or vital parts made necessary by reason of age or wear and tear from use.

NOTE B.—The cost of repairing passenger-train cars of foreign lines waybilled as freight, damaged in transit, should be charged to account "Loss and Damage—Freight;" and the cost of repairing passenger-train cars of foreign lines having trackage rights over a carrier's line, damaged in collision or wreck for which a carrier is liable, should be charged to account "Damage to Property."

PASSENGER-TRAIN CARS — RENEWALS.

This account includes the original cost (estimated, if not known), record value, or purchase price of all passenger-train cars condemned, destroyed, or sold, less:

(*a*) Amount previously charged for depreciation up to date of retirement;

(*b*) Scrap value of salvage or the amount received from sale of passenger-train cars retired.

The cost of renewing passenger-train cars, the operations of which are treated as "Outside Operations" (except dining, café, and buffet cars), should not be charged to this account.

NOTE A.—Passenger-train cars permanently retired from service but held, pending disposition, should be written out of service through this account, and carried in an appropriate material account at a nominal valuation, or at actual scrap value if determinable.

NOTE B.—The term "record value" should not be interpreted to mean the value of equipment as it stands in the capital account, unless that account represents the original value of the equipment on hand.

PASSENGER-TRAIN CARS — DEPRECIATION.

This account includes a monthly charge of one-twelfth (1-12) of per cent. per annum of the original cost (estimated, if not known), record value, or purchase price of passenger-train cars, to provide a fund for replacement when retired.

The charge for depreciation on passenger-train cars, the operations of which are treated as "Outside Operations" (except dining, café, and buffet cars), should not be charged to this account.

FREIGHT-TRAIN CARS — REPAIRS.

This account includes cost of material used (less salvage) and labor expended in repairing, painting, and lettering freight-train cars of all classes (see list under this account), furniture for cabin or caboose cars, and fixtures for all freight-train cars, including cost of renewing same; such as brake gear, coal boxes, coal hods, curtains, cushions, deck lamps, flag and torpedo boxes when attached to cars, ice boxes, lamp fixtures, links and pins, racks, stoves and fixtures; also cost of fixed or permanent grain doors and lumber for them; racks and ventilating systems for refrigerator cars, and material used and labor expended in double-decking cars for live stock; also cost of supervision; pay of car inspectors while engaged in inspecting freight-train cars; and cost of cutting up such cars when condemned; also repairs, for which a carrier is liable, made to freight-train cars of foreign lines in its service. Cost of testing air brakes; material used by car inspectors and car repair men while engaged in inspecting

and making light repairs to cars at stations, yards, and elsewhere. Small hand tools used exclusively in inspecting and repairing freight-train cars. Traveling expenses of employees whose pay is chargeable to this account; expenses of light-weighting freight-train cars; payments of royalties, or for patent rights on brakes, brake fixtures, and other appliances used on freight-train cars; payments for foreign freight-train cars destroyed on the line while in a carrier's service, or to foreign roads for repairs to a carrier's freight-train cars; also proportion of shop expenses as provided in note following account "Other Expenses."

The value of old material released during repairs, insurance recovered, and repayments from other roads should be credited to this account.

The following cars are classified as freight-train cars:

Beer,	Furniture,	Platform,
Box,	Gondola,	Poling,
Cabin,	Gondola — hopper,	Poultry,
Caboose,	Gondola — long,	Produce,
Charcoal,	Gun trucks,	Rack,
Coal,	Hay,	Refrigerator,
Coke,	Lime,	Stock,
Dump (commercial, coal or stone),	Logging,	Tank and water (when used as commercial cars).
Flat,	Oil tanks,	
Fruit,	Ore,	

NOTE A.—The word "repairs" as here used includes all repairs to or renewals of parts of freight-train cars commonly known as running repairs; also repairs to or renewals of the more important or vital parts of freight-train cars, the necessity for which is caused by breakage or failure while in service; also the repairs to freight-train cars damaged through accident or otherwise, necessary to restore them to service; and also renewals of important or vital parts made necessary by reason of age or wear and tear from use.

NOTE B.—The cost of repairing freight-train cars of foreign lines waybilled as freight, damaged in transit, should be charged to account "Loss and Damage—Freight;" and the cost of repairing freight-train cars of foreign lines having trackage rights over a carrier's line, damaged in collision or wreck for which a carrier is liable, should be charged to account "Damage to Property."

FREIGHT-TRAIN CARS — RENEWALS.

This account includes the original cost (estimated, if not known), record value, or purchase price of all freight-train cars condemned, destroyed, or sold, less:

(*a*) Amount previously charged for depreciation up to date of retirement;

(*b*) Scrap value of salvage or the amount received from sale of freight-train cars retired.

NOTE A.—Freight-train cars or parts thereof (such as trucks) permanently retired from service, but held, pending disposition, should be written out of service through this account, and carried in an appropriate material account at a nominal valuation, or at actual scrap value if determinable.

NOTE B.—The term "record value" should not be interpreted to mean the value of equipment as it stands in the capital account, unless that account represents the original value of the equipment on hand.

FREIGHT-TRAIN CARS — DEPRECIATION.

This account includes a monthly charge of one-twelfth (1-12) of per cent. per annum of the original cost (estimated, if not known), record value, or purchase price of freight-train cars, to provide a fund for replacement when retired.

ELECTRIC EQUIPMENT OF CARS — REPAIRS.

This account includes cost of material used and labor expended in repairing and renewing motors affixed to cars, and their connections, as distinguished from independent electric locomotives used in connection with electric power for the propulsion of trains or cars; dynamo covers, rheostats, reversing, cut-out, and main motor switches, power boxes, motor boxes, power levers, trolley poles, trolleys, third rail contact appliances, wiring, inspecting, cables, lightning arresters, pans, brush holders, and motor pans.

NOTE.—The word "repairs" as here used includes all repairs to or renewals of parts of electric equipment of cars commonly known as running repairs; also repairs to or renewals of the more important or vital parts of electric equipment of cars, the necessity for which is caused by breakage or failure while in service; also the repairs to electric equipment of cars damaged through accident or otherwise, necessary to restore it to service; and also renewals of important or vital parts made necessary by reason of age or wear and tear from use.

ELECTRIC EQUIPMENT OF CARS — RENEWALS.

This account includes the original cost (estimated, if not known), record value, or purchase price of all electric equipment of cars condemned, destroyed, or sold, less:

(*a*) Amount previously charged for depreciation up to date of retirement;

(*b*) Scrap value of salvage or the amount received from sale of electric equipment of cars.

NOTE A.— Electric equipment of cars permanently retired from service, but held, pending disposition, should be written out of service through this account, and carried in an appropriate material account at a nominal valuation, or at actual scrap value if determinable.

NOTE B.—The term "record value" should not be interpreted to mean the value of equipment as it stands in the capital account, unless that account represents the original value of the equipment on hand.

ELECTRIC EQUIPMENT OF CARS — DEPRECIATION.

This account includes a monthly charge of one-twelfth (1-12) of per cent. per annum of the original cost (estimated, if not known), record value, or purchase price of electric equipment of cars, to provide a fund for replacement when retired.

FLOATING EQUIPMENT — REPAIRS.

This account includes, when not chargeable to "Outside Operations":

STEAMBOATS AND TUGBOATS.— Cost of material used and labor expended in repairing steamships, steamboats, power launches, steam lighters, ferry, transfer, tug, and all other boats propelled by their own power (see list under this account); also boilers, engines, masts, rigging, sails, wood foundations, bearings for machinery, wheels, rudders, shafts, steering gear, ventilators, electric plants, steam and hot-water fixtures, and all other parts; furniture and fixtures of such boats, including cost of renewing machinery, furniture, and fixtures, such as anchors, axes, barometers, beds and bedding, binnacle lamps, block and tackle, capstan bars, carpets, chairs, charts, clocks, compasses, copying presses, counters, desks, engine furnishings, fire buckets, fire extinguishers, flue cleaners, gang planks, hatchets, hooks, keys, lamps (when permanently attached to boats), life-preservers, lines, linoleum, logs and log lines, mats, matting, mattresses, oil cans, pianos on passenger boats, pillows, pokers, racks, railings, rugs, safes, scales, scrapers, settees, shovels, splice bars, spyglasses, stoves and stove furniture, tables, ticket cases and fixtures, tool boxes, tools, wrenches; payments of royalties, or for patent rights on improved machinery. Pay and expenses of shore engineers, shore captains, and their assistants when engaged in supervising the maintenance of floating equipment.

The value of old material released during repairs and insurance recovered should be credited to this account.

BARGES, CAR FLOATS, AND CANAL BOATS.— Cost of material used and labor expended in repairing barges, canal boats, car and other floats, dredges, lighters, and scows (see list under this account); also hulls, decks, cabins, rigging, and all other parts and furniture and fixtures of such boats, including cost of renewing machinery, furniture, and fixtures, such as those enumerated above.

The value of old material released during repairs and insurance recovered should be credited to this account.

The following floating equipment is classified as steamboats and tugboats:

Ferryboats,	Steamboats,	Transfer boats,
Power launches,	Steamships,	Tugboats.
Power lighters,		

The following floating equipment is classified as barges, car floats, and canal boats:

Barges,	Car floats,	Lighters,
Canal boats,	Dredges,	Scows.

NOTE.— The word "repairs" as here used includes all repairs to or renewals of minor parts of floating equipment; also repairs to or renewals of the more important or vital parts of floating equipment, the necessity for which is caused by breakage, failure, or accident while in service; also the repairs to floating equipment damaged through accident or

otherwise, necessary to restore it to service; and also renewals of important or vital parts made necessary by reason of age or wear and tear from use.

FLOATING EQUIPMENT — RENEWALS.

This account includes the original cost (estimated, if not known), record value, or purchase price of all floating equipment condemned, destroyed, or sold, less:

(*a*) Amount previously charged for depreciation up to date of retirement;

(*b*) Scrap value of salvage or the amount received from sale of floating equipment retired.

The cost of renewing floating equipment, the operations of which are treated as "Outside Operations," should not be charged to this account.

NOTE A.—Floating equipment permanently retired from service, but held, pending disposition, should be written out of service through this account, and carried in an appropriate material account at a nominal valuation, or at actual scrap value if determinable.

NOTE B.—The term "record value" should not be interpreted to mean the value of equipment as it stands in the capital account, unless that account represents the original value of the equipment on hand.

FLOATING EQUIPMENT — DEPRECIATION.

This account includes a monthly charge of one-twelfth (1-12) of per cent. per annum of the original cost (estimated, if not known), record value, or purchase price of floating equipment, to provide a fund for replacement when retired.

The charge for depreciation on floating equipment, the operations of which are treated as "Outside Operations," should not be charged to this account.

SHOP MACHINERY AND TOOLS.

This account includes:

REPAIRS.— Cost of material used, and labor expended in repairing tools and machinery in enginehouses and at locomotive and car shops and foundries, including stationary engines and boilers for furnishing power; scaffolds, shafting, belting, and other appliances for running machinery, cranes, hoists (power and hand), drop tables, jacks and other appliances used in connection therewith; also in repairing furnaces, forges, hydraulic and other portable jacks, portable scales, and sewing machines used in shops. Cost of repairing heating boilers should be charged to account "Buildings, Fixtures, and Grounds."

RENEWALS.— Cost of new tools and machinery (less salvage) used in enginehouses and at locomotive and car shops and foundries, including stationary engines and boilers for furnishing power; scaffolds, shafting, belting and other appliances for running machinery, cranes, hoists (power and hand), drop tables,

jacks and other appliances used in connection therewith; also furnaces, forges, hydraulic and other portable jacks, portable scales, and sewing machines used in shops. Cost of renewing heating boilers should be charged to account "Buildings, Fixtures, and Grounds."

POWER PLANT EQUIPMENT.

This account includes:

STEAM AND WATER PLANT.— Cost of materials used (less salvage) and labor expended in repairing and renewing steam and water plant equipment, including engines and engine parts, appliances, and fixtures; belts, belt tighteners and fixtures; receivers, lubricators, and oiling devices; shafting, clutches, cranes, hoists, and other engine-room appliances, boilers, boiler fittings, and appliances, furnaces, economizers, stacks, mechanical draft machinery, pumps, feed-water heaters, purifiers, tanks, condensers, coal and ash conveying machinery, mechanical stokers, and other boiler-room appliances; piping and steam fitting, including valves, separators, water and sewer connections, and water meters.

ELECTRIC PLANT.— Cost of materials used and labor expended in repairing and renewing all electric equipment within the power house (not including the method of transmission of power beyond the power house), including generators and generator parts, dynamos, switch boards, cables, and feeder terminals, and wiring in connection therewith; storage batteries, transformers, boosters, rheostats, circuit breakers, meters, and other electric equipment.

INJURIES TO PERSONS.

This account includes all expenses incident to injuries to persons when caused directly in connection with maintenance of equipment; proportion of salaries and expenses of physicians and surgeons, expenses of undertakers, nursing and hospital attendance, medical and surgical supplies, artificial limbs, funeral expenses, railway and carriage fares for conveying injured persons and attendants; also proportion of pay and expenses of claim adjusters and their clerks, and pay and expenses of employees and others called in consultation in relation to the adjustment of claims coming under this head.

NOTE A.—Witness fees and other expenses in connection with the conduct of suits should be charged to account "Law Expenses," but the amount of final judgments, including plaintiffs' court costs, should be charged to this account.

NOTE B.—When contributions are made to hospitals, the total thereof should be distributed to the several "Injuries to Persons" accounts as follows: 25 per cent. to "Maintenance of Way and Structures," 25 per cent. to "Maintenance of Equipment," and 50 per cent. to "Transportation Expenses."

NOTE C.—The pay and expenses of claim adjusters, clerks, chief surgeons, and others whose pay can not be actually allocated to any case, should be divided equally between personal injury and other claims over which they have jurisdiction.

STATIONERY AND PRINTING.

This account includes the cost of all stationery, stationery supplies, printing, books, and blank forms used in connection with maintenance of equipment. (Dictionaries, periodicals, technical books, etc., should be charged to account "Superintendence.")

The following is a list of the more important items chargeable to this account:

Adding machines,
Addressographs and supplies,
Arm rests,
Binders,
Blank books,
Blank cards,
Blank forms,
Blank paper,
Blank tablets,
Blotters,
Blotting paper,
Blue print paper,
Bristol board,
Calculating machines,
Calendars,
Caligraphs,
Carbon paper,
Cardboard
Cards
Circulars,
Computing tables,
Copy (impression) books,
Copying brushes,
Copying presses,
Crayons,
Cyclostyles,
Dating stamps and ribbons,
Drawing paper,
Duplicators,
Electric pens,
Envelopes,
Erasers, rubber and steel,
Eyelets,
Eyelet punches,
Forms,
Glass pens,
Hektographs,
Indexes,
Ink, for writing and drawing,
Ink stands,
Invoice books,
Legal-cap paper,
Letter paper,
Manifold paper,
Manifold pens,
Mimeographs,
Mucilage,
Mucilage brushes,
Neostyles,
Note paper,
Notices,
Numbering stamps,
Oil paper,
Orders,
Paper,
Paper baskets,
Paper clips,
Paper cutters,
Paper fasteners,
Paper files,
Paper weights,
Papyrographs,
Parchment paper,
Pencils, for writing and drawing,
Pencil sharpeners,
Penholders,
Penracks,
Pens, for writing and drawing,
Pins,
Postage,
Printed cards,
Printed tablets,
Punches (not conductors' or baggagemen's),
Rubber bands,
Rubber stamps,
Rulers,
Ruling pens,
Scrap books,
Sealing wax,
Seals,
Shears,
Shipping tags,
Shorthand notebooks,
Sponges,
Sponge cups,
Stamps, impression,
Stylographs,
Tablets,
Tape,
Telegraph blanks,
Tissue (impression) paper,
Tracing cloth,
Tracing paper,
Twine,
Typewriters and ribbons,
Waste baskets,
Water colors,
Water holders,
Wage tables,
Wrapping paper,
Wringers for copying presses.

INSURANCE.

This account includes all premiums made or paid by a carrier to its insurance fund and premiums (except reinsurance premiums) paid by it to insurance companies for insuring all equipment and other property and persons against loss, damage, or injury by fire, accident, or other causes, when such loss, damage, or injury would otherwise be chargeable to "Maintenance of Equipment."

NOTE A.—The premiums paid by a carrier to its insurance fund should be credited on its books to an "Insurance Fund" account, to which the amount of all claims for dam-

ages to the property covered by its insurance should be charged. To such account should be charged all reinsurance premiums paid insurance companies, and to it should be credited all amounts recovered from insurance companies for damage to property reinsured by them.

NOTE B.—Appropriations made by a carrier to its insurance fund through Income Account should be credited directly to its "Insurance Fund" account.

OTHER EXPENSES.

This account includes all expenses in connection with maintenance of equipment not properly chargeable to other "Maintenance of Equipment" accounts.

EXPLANATORY NOTE—CLEARING ACCOUNT "SHOP EXPENSES."

It is recognized that costs incident to maintenance of equipment other than those enumerated herein not chargeable directly to any particular account provided, will be incurred, such as heating, lighting, water, watchmen, and incidentals. To provide for the distribution of such costs to proper expense accounts, a clearing account called "Shop Expenses" should be opened, to which these items and other unassignable items of expense at shops, enginehouses, repair tracks, and other places at which mechanical work is done should be charged. Such shop expenses should be apportioned among the various accounts affected on the basis of the amount of distributed labor charged to those accounts. The basis of distribution should be the relative proportion which the total amount of charges to "Shop Expenses" bears to the total of the distributed labor.

To avoid monthly fluctuations in the percentage of shop expenses to the total of distributed labor, carriers will be permitted to make the monthly apportionment on the basis of a fixed percentage for the fiscal year, provided the "Shop Expenses" account is adjusted and closed out at the end of that year.

The expenses above referred to are as follows:

HEATING.—Cost of fuel, including freight charges and handling, if any, used for heating shops and shop offices, repair tracks, and other places at which mechanical work is done, watchmen's and gate keepers' boxes, and inspectors' shanties.

LIGHTING.—Cost of electric current, gas, torches, lamp burners, lamp chimneys, lamps when not permanently attached to buildings, oil, incandescent lamps and carbons, and other material used for lighting shops and shop offices, repair tracks, and other places at which mechanical work is done; and cost of material used and labor expended in operating electric light plants and repairing electric light lamps at shops.

WATER.—Cost of water used in shops and shop offices, repair tracks, and other places at which mechanical work is done.

WATCHMEN.—Pay of watchmen, gate keepers, and policemen at shops, repair tracks, and other places at which mechanical work is done.

INCIDENTALS.—Pay of employees while attending fires and fire drills; cost of supplies for test rooms and laboratories incident to shop work, ice for shops, watchmen's uniforms, clocks, and call boxes, removing snow and ice from transfer

tables and shop yards; traveling expenses not chargeable to other accounts; cost of cleaning privy vaults; oil, grease, waste, and other material used in lubricating shop machinery and tools; horses and horse keep, and repairing wagons and harness used in connection with shops. Cost of supplies and small hand tools used by mechanics on miscellaneous work and soon worn out, and pay of employees while making, repairing, or having charge of same; pay of shop foremen, assistant foremen, clerks, timekeepers, and shop accountants, stationary engineers and firemen, sweepers, cleaners, roustabouts, and other unskilled laborers employed in general work in and about shops and shop grounds; cost of fuel for forges, fuel, stores and supplies; and other undistributed shop expenses; all expenses of switching locomotives, including wages, repairs, fuel, and supplies when exclusively assigned to switching service at shops. (When switching at shops is performed by locomotives in regular switching service, all expenses of such switching should be charged to appropriate "Maintenance" and "Transportation" accounts.)

NOTE.—When shops, shop offices, repair tracks, and other places at which mechanical work is done, are supplied with heat from boilers used for running machinery, or with heat or light from plants used for heating, lighting, or other purposes, a proportion of the cost of such heat or light should be charged to this account on the basis of the service performed.

The following is a list of the more important supplies and small tools used in shop work:

Acid,
Adze handles,
Adzes,
Ammonia,
Auger bits,
Auger handles,
Augers,
Ax handles,
Axes,
Basins,
Bath brick,
Battery brushes,
Beeswax,
Bell cord,
Bits,
Bluestone,
Bone, granulated,
Borax,
Bottles,
Braces,
Brooms,
Brushes, dust,
Brushes, oil,
Brushes, paint,
Brushes, scrub,
Brushes, sweeping,
Brushes, varnish,
Brushes, wall,
Brushes, whitewash,
Brushes, window,
Buckets,
Carpenter tools furnished apprentices,
Casehardening,
Cement (belt),
Chalk,
Chalk lines,
Chamois skins,
Charcoal,
Clamps, hand,
Coal-pick handles,
Coal picks,
Compound for B. S. hammers,
Compound for welding,
Corks,
Cosmic (to prevent rust),
Crayon,
Cushion beaters,
Ditching lines,
Drinking cups,
Drinking glasses,
Dustpans,
Emery,
Emery boxes,
Emery cloth,
Emery paper,
Faucets,
File brushes,
File cards,
File handles,
Files,
Fire hooks (stationary boilers),
Fire shovels (stationary boilers),
Flags,
Fork handles,
Forks,
Forks, coke,
Flannel, canton,
Funnels,
Gimlets,
Glue,
Gluepots,
Glycerine,
Graphite,
Grinding compound,
Ground glass,
Hack-saw blades,
Hammers,
Hammers, babbitt,
Hand leathers,
Handles,
Hatchets,
Hoes,
Hydraulic-jack compound,
Keel,
Lampblack,
Lead,
Lead, red,

Lye,
Mallets,
Marking brushes,
Marking pots,
Measures, liquid,
Metallic tapes,
Mineral paste,
Mops,
Mop handles,
Muslin,
Oil cans,
Oilstones,
Padlocks,
Paint pots,
Picks,
Pipe-joint grease,
Pliers,
Plumbago,
Polish,
Polish, stove,
Potash,
Prisms,
Rail cutters,
Rakes,
Rasps,
Ratchet braces,
Resin,
Rope,
Rules,
Sal ammoniac,
Sandpaper,
Sand soap,
Saw blades,
Saws, hand,
Scoops,
Screwdrivers,
Screwdrivers, ratchet,
Screws,
Shellac,
Shovels,
Slates,
Slate pencils,
Sledges,
Soap,
Soda,
Solder,
Soldering fluid,
Spelter solder,
Spigots (oil barrels),
Spirit levels,
Spirit-level vials,
Sponges,
Sprinkling cans,
Squares,
Squirts (lubricating),
Stencil brushes,
Tacks,
Tapelines,
Tin cups,
Tool steel, for small hand tools,
Tripoli,
Trucks,
Twine,
Wash basins,
Wheelbarrows,
Whetstones,
White lead,
Whiting,
Window cloths,
Wire,
Wire brushes,
Wrenches, all kinds,
Zinc cakes,
Zincs.

EXPLANATORY NOTE—CLEARING ACCOUNT "STORE EXPENSES."

Where the words "Cost of Material" appear herein it is understood that they cover not only the cost of the material, but foreign roads' freight charges and the cost of inspection. Credit should be given for the value of the material removed, if any.

STORE EXPENSES.—A memorandum account called "Store Expenses" should be opened, to which should be charged the cost of purchasing, handling, storing material in and distributing it from the company's storehouses, including the pay of officers and employees in the purchasing and store departments, and their traveling, office, and other expenses. The total amount charged to this account, representing the "Storehouse Expense," should be apportioned on the value of the material issued from the store department, and the amount representing the "Purchasing Department" expenses should be apportioned on the value of the material issued which was purchased by that department.

To avoid monthly fluctuations in the percentage of store expenses to the value of material purchased or issued, carriers will be permitted to make a monthly apportionment on the basis of a fixed percentage for the fiscal year, provided the "Store Expenses" account is adjusted and closed out at the end of that year.

When a number of men are employed in the purchasing or inspecting of a single class of material, such as ties, their pay and expenses should be added to the cost of that material and not included in this "Store Expenses" account.

MAINTAINING JOINT EQUIPMENT AT TERMINALS—DR.

This account includes a carrier's proportion of costs to maintain equipment used for the operation of joint terminals maintained by other corporations.

NOTE.—The purpose of this account is to show the amounts accruing against a carrier for its proportion of the expense of maintaining joint equipment *at terminals* maintained by other corporations but in the joint use of which a carrier participates. The bill rendered by any creditor against a debtor for the latter's proportion of expense of operation of joint facilities should show the distribution of the total charge among the general accounts as made by the creditor, and such distribution should be adhered to by the debtor.

EQUIPMENT BORROWED — DR.

This account includes a portion of the gross rental accruing upon equipment of other corporations used by a carrier for the conduct of its business, to cover a proper depreciation on such equipment while so used, in addition to repairs and renewals actually made.

NOTE.—In case of freight-train cars borrowed, 12 cents per car per day, while such cars are on the lines of a carrier, should be charged to this account. The charge to this account for equipment other than freight-train cars should be determined by special agreement between the carriers, corporations, or individuals interested. The amounts debited to this account should invariably equal the amounts credited to the clearing account "Hire of Equipment." [a]

MAINTAINING JOINT EQUIPMENT AT TERMINALS — CR.

This account includes the proportion of costs to maintain equipment used for the operation of joint terminals maintained by a carrier chargeable to other corporations.

NOTE.—The purpose of this account is to show the amounts accruing in favor of a carrier against other corporations for their proportion of the expense of maintaining joint equipment at terminals maintained by a carrier, but in the joint use of which other corporations participate. The bill rendered by any creditor against a debtor for the latter's proportion of expense of operation of joint facilities should show the distribution of the total charge among the general accounts as made by the creditor, and such distribution should be adhered to by the debtor.

EQUIPMENT LOANED — CR.

This account includes a portion of the gross rental received by a carrier from other carriers, corporations, or individuals for the use of its equipment while in use by other carriers, corporations, or individuals (car service excepted), to cover that portion of depreciation charged to operating expenses during the period covered by a carrier's equipment while in use by other corporations.

NOTE.—In the case of freight-train cars loaned, 12 cents per car per day while such cars are on the lines of other corporations should be credited to this account. The credit

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[a] See paragraphs designated as (4a) and (4b) in the following note descriptive of the clearing account "Hire of Equipment."

to this account for equipment other than freight-train cars should be determined by agreement between the owner and the user. The amounts credited to this account should invariably equal the amounts charged to the clearing account "Hire of Equipment."[b]

EXPLANATORY NOTE—CLEARING ACCOUNT—HIRE OF EQUIPMENT.

To this account should be charged monthly:

(1) The gross accruals for the use of equipment of all classes belonging to another carrier or corporation on a basis of per diem, mileage, or rental.

To it should be credited monthly:

(2) The gross accruals for the use of a carrier's equipment while on the lines of other carriers, corporations, or individuals ("Car Service" excepted), either on a basis of per diem, mileage, or rental.

To it should also be charged monthly:

(3a) An amount equal to 12 cents per car per day for the number of car-days a carrier's freight-train cars are on the lines of other carriers or in use by other corporations or individuals.

(3b) An amount equal to the portion of the depreciation and repairs charges, accruing against the carrier upon its equipment other than freight-train cars while on the lines of other carriers or in use by other corporations or individuals.

NOTE.—These two debits should invariably equal the monthly credit to "Maintenance of Equipment" under the primary account "Equipment Loaned — Cr."

To it should also be credited monthly:

(4a) An amount equal to 12 cents per car per day for the number of car-days, freight-train cars of other carriers, corporations, or individuals are on the lines of the carrier company.

(4b) An amount equal to the portion of the depreciation and repairs charges, accruing against other carriers, corporations, or individuals upon their equipment other than freight-train cars while on the lines of the carrier.

NOTE A.—These two credits should invariably equal the monthly debit to "Maintenance of Equipment" under the primary account "Equipment Borrowed — Dr."

NOTE B.—The amounts mentioned in paragraphs (3b) and (4b) should be determined with regard to any particular equipment by agreement between the owner and the user. In most cases the basis of apportionment will be either equipment-miles or equipment-days, and either may be used according to the best judgment of the carriers concerned. Should, however, the conditions under which equipment is used by two or more carriers make such a basis of apportionment untenable, carriers are at liberty to adopt whatever basis may be deemed proper, but for each such case or class of cases carriers will be required to file with the division of statistics and accounts a statement of the conditions under which this class of equipment, other than freight-train cars, is used, and the basis of apportionment agreed upon

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[b] See paragraphs designated as (3a) and (3b) in the following note descriptive of the clearing account "Hire of Equipment."

III. TRAFFIC EXPENSES.

SUPERINTENDENCE.

This account includes:

PAY OF OFFICERS.— Pay of vice-president and assistant when directly in charge of traffic, traffic directors, traffic managers, general and assistant freight, coal traffic, passenger, and ticket agents, division and assistant freight and passenger agents, general baggage agent, general express agent, and other officers engaged in the preparation and distribution of tariffs, classifications, rates, and divisions thereof; and other officials engaged in administering traffic.

NOTE A.—Pay of officers engaged exclusively in soliciting traffic should be charged to account "Outside Agencies."

NOTE B.— When officers and others above enumerated also have supervision over other departments, their salaries and expenses should be apportioned equally between the departments over which they have jurisdiction.

PAY OF CLERKS AND ATTENDANTS.— Pay of chief and other clerks in offices, and porters and attendants in offices and on special cars of officers whose pay is chargeable to this account.

OFFICE AND OTHER EXPENSES.— Rent and cost of repairing rented offices; telephone service, telegraph messages, heat, light, ice, water, furniture, and supplies (except stationery and printing), such as atlases, directories, maps, and periodicals for offices of officers whose pay is charged to this account; incidental office and traveling expenses of such officers and their clerks; cost of provisions for and the expenses of special cars when used by them, and cost of running special trains for officials mentioned; also premiums on fidelity bonds of such officers and their employees.

OUTSIDE AGENCIES.

This account includes pay and expenses of general, commercial, city, district, and other agents engaged exclusively in soliciting traffic; employees of their offices, traveling agents, and solicitors whether located on or off the line of road; rent and cost of repairing rented offices (less rent received from subtenants), furniture, supplies, heat, light, ice, water, telephone service, telegraph messages, express charges, and office and other expenses of such agencies; also commissions for services appertaining to either freight or passenger business, except commissions paid a carrier's agents in lieu of salary.

ADVERTISING.

This account includes pay and expenses of advertising agents, cost of bill posting, etc., printing, publishing, and distributing passenger time-tables, folders, and notices to shippers for general distribution; printing advertising matter; advertising in newspapers and periodicals for the purpose of securing traffic;

bulletin boards, cards, cases, cords, display cards, dodgers, folders, glasses, handbills, maps, pamphlets, posters, racks, frames, tacks, photographs, views, and postage and express charges on advertising matter; donations to carnivals authorized for traffic purposes; and other expenses for attracting traffic.

TRAFFIC ASSOCIATIONS.

This account includes expenses of traffic associations, including membership fees in boards of trade, commercial and other kindred associations.

FAST FREIGHT LINES.

This account includes expenses of fast freight or dispatch organizations.

INDUSTRIAL AND IMMIGRATION BUREAUS.

This account includes salaries and expenses of industrial and immigration agents, exhibit agents, clerks, and assistants; cost of exhibits; rent and cost of repairing rented offices; telephone service, express charges, office expenses, furniture, supplies, stationery, postage, advertising, and other expenses of a similar nature incident to industrial and immigration bureaus; also expenses of experimental farms, and donations to expositions, incident to the upbuilding of traffic, other than those provided for in account "Advertising," and premiums and donations to fairs and stock shows.

STATIONERY AND PRINTING.

This account includes the cost of all stationery, stationery supplies, printing, books, and blank forms (except such as are used by industrial and immigration bureaus) used in connection with traffic expenses. (Dictionaries, periodicals, technical books, etc., should be charged to account "Superintendence.")

The following is a list of the more important items chargeable to this account:

Adding machines,
Arm rests,
Binders,
Blank books,
Blank cards,
Blank forms,
Blank paper,
Blank tablets,
Blotters,
Blotting paper,
Bristol board,
Calculating machines,
Calendars,
Caligraphs,
Carbon paper,
Cardboard,
Cards,
Circulars,
Computing tables,
Copy (impression) books,
Copying brushes,
Copying presses,
Crayons,
Cyclostyles,
Dating stamps and ribbons,
Duplicators,
Electric pens,
Envelopes,
Erasers, rubber and steel,
Eyelets,
Eyelet punches,
Forms,
Glass pens,
Hektographs,
Indexes,
Ink, for writing and drawing,
Inkstands,
Invoice books,
Legal-cap paper,
Letter paper,
Manifold paper,
Manifold pens,
Mimeographs,
Mucilage,
Mucilage brushes,
Neostyles,
Note paper,
Notices,
Numbering stamps,

Oil paper,
Orders,
Paper,
Paper baskets,
Paper clips,
Paper cutters,
Paper fasteners,
Paper files,
Paper weights,
Papyrographs,
Passes,
Pencils, for writing and drawing,
Pencil sharpeners,
Penholders,
Pens, for writing and drawing,
Penracks,
Pins,
Postage,
Printed cards,
Printed tablets,
Punches (not conductors' or baggagemen's),
Rubber bands,
Rubber stamps,
Rulers,
Ruling pens,
Scrapbooks,
Sealing wax,
Seals,
Shears,
Shipping tags,
Shorthand notebooks,
Sponges,
Sponge cups,
Stamps, impression,
Stylographs,
Tablets,
Tape,
Telegraph blanks,
Tissue (impression) paper,
Typewriters and ribbons,
Wastebaskets,
Water colors,
Water holders,
Wage tables,
Wrapping paper,
Wringers for copying presses.

TARIFFS.— Cost of printing freight and passenger tariffs, classifications, supplements, and rate and division sheets.

INSURANCE.

This account includes all premiums made or paid by a carrier to its insurance fund and premiums (except reinsurance premiums) paid by it to insurance companies for insuring property or persons against loss, damage, or injury by fire, accident, or other causes, when such loss, damage, or injury would otherwise be chargeable to "Traffic Expenses."

NOTE A.—The premiums paid by a carrier to its insurance fund should be credited on its books to an "Insurance Fund" account, to which the amount of all claims for damages to the property covered by its insurance should be charged. To such account should be charged all reinsurance premiums paid insurance companies, and to it should be credited all amounts recovered from insurance companies for damage to property reinsured by them.

NOTE B.—Appropriations made by a carrier to its insurance fund through Income Account should be credited directly to its "Insurance Fund" account.

OTHER EXPENSES.

This account includes all expenses in connection with traffic expenses not properly chargeable to other "Traffic Expenses" accounts.

IV. TRANSPORTATION EXPENSES.

SUPERINTENDENCE.

This account includes:

PAY OF OFFICERS.— Pay of vice-president and assistant, general manager and assistant when directly in charge of transportation, director of operation, manager of transportation, general superintendent of transportation, superintendent of transportation, general superintendent, superintendent, division and assistant superintendent, superintendent of car service, lost-car agent,

train master, assistant train master, road foreman of locomotives, traveling locomotive engineer, traveling locomotive fireman, members of examining boards, superintendent of mail service, traveling train and station inspectors, air-brake instructor, superintendent of transfer stations, and other officers engaged exclusively in the transportation department.

PAY OF CLERKS AND ATTENDANTS.— Pay of chief and other clerks in offices and porters and attendants in offices and on special cars of officers whose pay is charged to this account.

OFFICE AND OTHER EXPENSES.— Rent and cost of repairing rented offices; telephone service, telegraph messages, and cost of heat, light, ice, water, furniture, and supplies (except stationery and printing), such as atlases, dictionaries, directories, maps, and periodicals for offices of officers whose pay is charged to this account; incidental office and traveling expenses of such officers and their clerks; cost of provisions for and expenses of special cars when used by them, and cost of running special trains for officials mentioned; also premiums on fidelity bonds of such officers and their assistants.

NOTE.—When officers and others above enumerated also have supervision over other departments, their salaries and expenses should be apportioned equally between the departments over which they have jurisdiction.

DISPATCHING TRAINS.

This account includes pay of chief train dispatchers, their clerks and attendants; pay and expenses of train dispatchers and their copying operators, and all incidental office expenses; pay and expenses of operators on line whose duties are confined exclusively to train movement.

STATION EMPLOYEES.

This account includes:

AGENTS, CLERKS, AND ATTENDANTS.— Pay of freight and ticket agents in charge of stations, docks, wharves, and piers; relief agents, assistant agents, express agents, depot or station masters, assistant depot or station masters, station passenger and baggage agents, cashiers, station accountants, clerks, telephone and telegraph operators at stations, car clerks, messengers, collectors, ticket examiners, ticket receivers, and ticket collectors at stations (but not ticket exchangers or collectors on trains), station foremen, train callers directing passengers to trains, station baggagemen, janitors, porters, ushers, station gatemen (but not crossing gatemen), employees in information bureaus, package and parcel rooms; matrons, maids, policemen, watchmen, and detectives; also payments for time of customs inspectors at stations.

LABOR AT STATIONS.— Pay of warehousemen, freight-house foremen, freight callers, freight loaders and unloaders, tallymen, deliverymen, car sealers, weighmasters, truckmen, scalemen,

coopers, station cleaners, checkmen, handlers, teamsters, stevedores, longshoremen, employees at coal dock terminals, enginemen for stationary engines operating station heating and lighting plants, or elevators in passenger or freight stations, or operating freight carriers on docks, wharves, and piers to convey freight; employees attending electric lights, carrying and weighing mail at stations; transferring freight at stations for whatever reason; picking up, straightening, and reloading lumber and other shipments on cars, weighing cars, loading, unloading, feeding, and watering stock, labor at stock yards (other than repairs), ordinary cleaning of station grounds performed by station cleaners, removing snow and ice from station platforms, walks, and stock yards, and disinfecting at stations and stock yards.

NOTE.—This account should not include the pay or expenses of telegraph and telephone operators provided for under accounts "Dispatching Trains" and "Telegraph and Telephone—Operation" or pay or expenses of employees provided for under accounts "Stock Yards and Grain Elevators" and "Coal and Ore Docks," or those engaged in "Outside Operations."

WEIGHING AND CAR SERVICE ASSOCIATIONS.

This account includes expenses of weighing and inspection bureaus and car service associations.

STOCK YARDS AND GRAIN ELEVATORS.

This account includes pay of employees and cost of supplies and all other expenses incurred in operating stock yards or grain elevators which are not operated as "Outside Operations."

COAL AND ORE DOCKS.

This account includes pay of employees and cost of supplies and all other expenses incurred in operating coal and ore docks which are not operated as "Outside Operations."

STATION SUPPLIES AND EXPENSES.

This account includes:

HEATING.—Costs of fuel, water, steam, and supplies used in heating stations, waiting rooms, freight and passenger offices, and other station buildings.

LIGHTING.—Cost of, or payments for, lighting streets and stations, gas, oil, electric current, carbons, incandescent lamps, and other supplies used in lighting stations, waiting rooms, freight and passenger offices, and other station buildings and street approaches thereto.

OTHER EXPENSES.—Rent of station buildings; cost of furniture and renewals and repairs thereof; telephone service, express charges, supplies, hand implements for handling freight and baggage at stations, power for freight and passenger elevators, oil and wicking used in lanterns of watchmen (except track watchmen) or other employees in or about stations; uniforms, uniform trimmings and badges for station employees, material used at stations for packing freight; payments for transferring mail; horses

and vehicles for station use, livery, and shoeing horses; feed and water for stock when carrier is responsible; payments to warehouse companies for storage of freight; cleaning privy vaults.

Payments for water, washing towels, sprinkling about stations; rents for use of automatic weighing and recording attachments for scales; also premiums on fidelity bonds of agents and other station employees, and those covering merchandise transported; licenses for ticket agents, agents' expenses, reports of commercial standing, and membership fees in agents' associations.

The following is a list of the more important articles chargeable to this account:

Atlases,
Awnings,
Axes,
Baggage checks,
Barometers,
Baskets,
Bicycles,
Blocking,
Brooms,
Brushes,
Buckets,
Bulletin boards,
Call bells,
Candles,
Carpets,
Car seal presses,
Chains,
Chairs,
Chair cushions,
Chalk,
Chamois skins,
Check boxes,
Check racks,
City directories,
Clocks,
Coal hods,
Cold chisels,
Copying press stands,
Counter brushes,
Counter scales,
Cups,
Curtains,
Cuspidors,
Desks,
Dippers,
Dusters,
Electric fans,
Electric lamps, incandescent,
Electric light supplies,
Extinguishers, hand,
Feather dusters,
Files, document,
Fire buckets,
Flags.
Floor coverings,
Gang planks,
Gas,
Hampers,
Harness,
Hatchets,
Hoes,
Hooks,
Horses,
Hose,
Hose couplings,
Ice,
Ice barrels,
Ice boxes,
Ice buckets,
Ice carts,
Ice tongs,
Keys,
Ladders for cleaning and lighting,
Lampblack,
Lamp burners,
Lamp chimneys,
Lamp fittings,
Lamp globes,
Lamp mantles,
Lamps, not permanently attached to buildings,
Lanterns,
Lantern fittings,
Lantern globes,
Letter boxes,
Mail bags,
Maps and cases,
Marking brushes,
Marking pots,
Marline,
Matches,
Measures,
Medical boxes,
Mirrors,
Money drawers,
Nails for boxing,
Newspapers,
Oil,
Oil cans,
Padlocks,
Pails,
Pinch bars,
Rakes,
Reflectors,
Rolling chairs for invalids,
Rubber hose,
Safes,
Sawdust,
Saws,
Scoops,
Scales, portable,
Scrubbing brushes,
Settees,
Shovels,
Sledges,
Soap,
Spades,
Sponges,
Sprinkling cans,
Stools,
Stove blacking,
Stoves and stove-pipe,
Tables,
Tacks,
Tarpaulins (not for cars),
Thermometers,
Ticket cases,
Tongs,
Tool boxes,
Torpedoes,
Towels,
Trucks,
Twine,
Typewriter stands,
Wagons,
Wash basins,
Waste,
Water barrels,
Water bowls,
Water cans,
Water coolers,
Water pails,
Wheelbarrows,
Whisk brooms,
Wrenches.

YARDMASTERS AND THEIR CLERKS.

This account includes pay of general yardmaster, yardmaster, assistant yardmaster, general yard foreman, their clerks and attendants, and of employees engaged in calling yardmen, passenger and freight trainmen; also policemen, watchmen, and detectives in yard service.

NOTE.—This account and the following nine accounts: "Yard Conductors and Brakemen," "Yard Switch and Signal Tenders," "Yard Supplies and Expenses," "Yard Enginemen," "Enginehouse Expenses—Yard," "Fuel for Yard Locomotives," "Water for Yard Locomotives," "Lubricants for Yard Locomotives," and "Other Supplies for Yard Locomotives," refer only to yards where regular switching service is maintained.

YARD CONDUCTORS AND BRAKEMEN.

This account includes pay of yard conductors or yard foremen and yard brakemen or yard switchmen engaged in passenger and freight yard and terminal switching service.

YARD SWITCH AND SIGNAL TENDERS.

This account includes pay of employees engaged in operating signals and interlocking plants in yards used exclusively for the government of the movement of yard trains; such as switch tenders, signalmen (other than telegraph operators), levermen, batterymen, stationary engineers and firemen operating air compressors furnishing power for signals, lamp men, lamp cleaners, and lamp lighters.

YARD SUPPLIES AND EXPENSES.

This account includes expenses of employees named under account, "Yardmasters and their Clerks," cost of heating and lighting their offices and other supplies furnished therefor. Supplies furnished yard conductors and brakemen, supplies for all switch lights and for interlocking plants or other signal appliances at terminals; oil, wicks, etc., for switch lamps, semaphore lamps, or other signals and lanterns; flags, switch ropes and chains, and other supplies furnished employees whose wages are charged to accounts, "Yardmasters and their Clerks," "Yard Conductors and Brakemen," and "Yard Switch and Signal Tenders;" payments for lighting yards, fuel and supplies for heating and lighting yard interlocking or other signal towers, and switch tenders' houses; also other similar items.

YARD ENGINEMEN.

This account includes pay of engineers and firemen engaged in passenger and freight, yard and terminal switching and transfer service.

ENGINEHOUSE EXPENSES — YARD.

This account includes pay of, and cost of supplies furnished to, callers, watchmen, and other employees engaged in wiping,

cleaning, firing up, dumping, boiler washing, cleaning fire boxes, watching and dispatching locomotives; and of other enginehouse employees, such as tool checkers, enginehouse cleaners, cinder pit cleaners, clinker dumpers, truck packers, turntable operators, sand dryers, inspectors of smokestacks and ash pans, when engaged in caring for locomotives in yard or terminal service; also a proportion of wages paid enginehouse foremen and their clerks.

Some of the more important items chargeable to this account are: Boiled oil, lampblack, rags, waste, lye, cleaning and polishing compounds, tools for truck packers and hostlers, signal lights on turntables and transfer tables at enginehouses, expenses of operation of such tables by power; heating and lighting enginehouses and offices in them; oil for lubricating turntables; shovels, wheelbarrows, and other tools for cleaning around enginehouses and handling cinders; rent of cinder cars used at cinder pits; hose and water for cinder pits and for washing out boilers, cupboards in enginehouses, mechanical blowers and fire lighters for starting locomotive fires.

NOTE.—When enginehouse expenses are incurred jointly for yard and road locomotives, they should be apportioned on basis of number of locomotives of each class handled.

FUEL FOR YARD LOCOMOTIVES.

This account includes cost at point of issue of coal, coke, oil, wood, and other fuel issued to yard locomotives. It includes cost of loading into tenders, proportion of pay of fuel agents and clerks engaged in accounting for fuel at fuel stations, and cost of wheelbarrows, shovels, scoops, picks, and other tools used thereat.

NOTE.—Repairs and renewals of coal chutes, buggies, air hoists, pockets, screens, etc., should be charged to account "Buildings, Fixtures, and Grounds."

WATER FOR YARD LOCOMOTIVES.

This account includes the cost of water furnished yard locomotives, including the cost of labor and material consumed in operating, heating, and lighting water stations; gasoline, oil, waste, gasoline engine batteries, thaw-out hose, rubber packing, siphons for water cars and locomotives, iron barrels for storing gasoline, stoves, stove furniture, coal, chemicals, and other compounds injected into locomotive boilers to decrease scale formations on boiler tubes; operating water purifying plants, tools, and other supplies (when not chargeable to account "Roadway Tools and Supplies"); also such items as breaking ice in water tanks, thawing out tank spouts and water cars, keeping fires in tanks and water cars to prevent freezing, shoveling snow in locomotive tenders, temporary connections between water cars and locomotive tenders; also amounts paid for water furnished for locomo-

tives, including rent of ponds, lakes, sluices, or other sources of water supply for this purpose, and right of way for pipe lines.

NOTE.—The apportionment of water as between yard and road locomotives should be on the basis of the relative number of tender tanks taken.

LUBRICANTS FOR YARD LOCOMOTIVES.

This account includes the cost of valve, engine, and car oil, grease, waste, and compounds for the lubrication of locomotives in yard service.

OTHER SUPPLIES FOR YARD LOCOMOTIVES.

This account includes the cost of headlight and signal oil and wicks used in headlights, signal lights, and enginemen's torches; supplies for electric light dynamos, and carbide for acetylene gas for lights on locomotives in yard service; also the cost of furniture, tools, and other movable articles and supplies required fully to equip yard locomotives for service.

The following are some of the items chargeable to this account, when furnished for use of yard enginemen:

Ash hoes,
Ash-pan rods,
Axes,
Bars, buggy,
Bell cords,
Boxes (portable),
Brooms,
Brushes,
Buckets,
Chimneys, headlights,
Chisels,
Clinker hooks,
Crowbars,
Files,
Flags,
Grate shakers,
Hammers,
Handsaws,
Hatchets,
Hose (not air brake, air signal, or steam),
Hose reels,
Jacks,
Jackscrews,
Lamps (signal only),
Lanterns and parts,
Locks for portable boxes,
Matches,
Metallic packing,
Oilers,
Oil cans,
Packing hooks,
Packing spoons,
Picks,
Pinch bars,
Plugging bars,
Pokers,
Saws,
Scoops,
Shovels,
Slash bars,
Sledges,
Soap,
Switch chains,
Switch ropes,
Switch poles,
Thaw-out hose,
Tool boxes (portable),
Torches,
Torpedoes,
Water buckets,
Water coolers,
Wrecking frogs,
Wrenches.

NOTE.—For cost of sand, see account "Other Supplies for Road Locomotives."

OPERATING JOINT YARDS AND TERMINALS—DR.

This account includes a carrier's proportion of costs incurred to operate joint yards, terminals, and other facilities (except joint tracks) operated by other corporations.

NOTE.—The purpose of this account is to show the amounts accruing against a carrier for its proportion of the expense of operating joint yards and terminals operated by other corporations, but in the joint use of which a carrier participates. The bill rendered by any creditor against a debtor for the latter's proportion of expense of operation of joint facilities should show the distribution of the total charge among the general accounts as made by the creditor, and such distribution should be adhered to by the debtor.

OPERATING JOINT YARDS AND TERMINALS — CR.

This account includes the proportion of costs to operate joint yards, terminals, and other facilities (except joint tracks) operated by a carrier, chargeable to other corporations.

NOTE.—The purpose of this account is to show the amounts accruing in favor of a carrier against other corporations for their proportion of the expense of operating joint yards and terminals operated by a carrier, but in the joint use of which other corporations participate. The bill rendered by any creditor against a debtor for the latter's proportion of expense of operation of joint facilities should show the distribution of the total charge among the general accounts as made by the creditor, and such distribution should be adhered to by the debtor.

MOTORMEN.

This account includes pay of motormen while engaged in running electric locomotives or cars (except those engaged in work-train service), or while deadheading in connection therewith; also pay and expenses of motormen engaged in piloting electric trains or cars over home lines.

ROAD ENGINEMEN.

This account includes pay of engineers and firemen while engaged in revenue-train service or while deadheading in connection therewith.

NOTE.— Pay of engineers and firemen on locomotives engaged in work-train service should be charged as a part of the work on which engaged.

ENGINEHOUSE EXPENSES — ROAD.

This account includes pay of and supplies furnished to callers, watchmen, and other employees engaged in wiping, cleaning, firing up, dumping, boiler washing, cleaning fire boxes, watching, and dispatching locomotives; and of other enginehouse employees, such as tool checkers, enginehouse cleaners, cinder pit cleaners, clinker dumpers, truck packers, turntable operators, sand dryers, inspectors of smokestacks and ashpans, when engaged in caring for locomotives in road service; also a proportion of wages paid enginehouse foremen and their clerks.

Some of the more important items chargeable to this account are: Boiled oil, lampblack, rags, waste, lye, cleaning and polishing compounds, tools for truck packers and hostlers, signal lights on turntables and transfer tables at enginehouses, expense of operation of such tables by power, heating and lighting enginehouses and offices in them, oil for lubricating turntables, shovels, wheelbarrows, and other tools for cleaning around enginehouses and handling cinders; rent of cinder cars used at cinder pits; hose and water for cinder pits and for washing out boilers; cupboards in enginehouses, mechanical blowers, and fire lighters for starting locomotive fires.

NOTE A.— When engine house expenses are incurred jointly for yard and road locomotives, they should be apportioned on basis of number of locomotives handled.

NOTE B.— Cost of engine house expenses on locomotives engaged in work-train service should be charged as a part of the work on which engaged.

FUEL FOR ROAD LOCOMOTIVES.

This account includes cost at point of issue of coal, coke, oil, wood, and other fuel issued to road locomotives. It includes cost of loading into tenders, proportion of pay of fuel agents and clerks engaged in accounting for fuel at fuel stations, and cost of wheelbarrows, shovels, scoops, picks, and other tools used thereat.

NOTE A.— Repairs and renewals of coal chutes, buggies, air hoists, pockets, screens, etc., should be charged to account, "Buildings, Fixtures, and Grounds."

NOTE B.— Cost of fuel issued to locomotives engaged in work-train service should be charged as a part of the work on which engaged.

WATER FOR ROAD LOCOMOTIVES.

This account includes the cost of water furnished road locomotives, including the cost of labor and material consumed in operating, heating, and lighting water stations; gasoline, oil, waste, gasoline engine batteries, thaw-out hose, rubber packing, siphons for water cars and locomotives, iron barrels for storing gasoline, stoves, stove furniture, coal, chemicals, and other compounds injected into locomotive boilers to decrease scale formations on boiler tubes; operating water purifying plants, tools, and other supplies (when not chargeable to account "Roadway Tools and Supplies"); also such items as breaking ice in water tanks, thawing out tank spouts and water cars, keeping fires in tanks and water cars to prevent freezing, shoveling snow in locomotive tenders, temporary connections between water cars and locomotive tenders; also amounts paid for water furnished for locomotives, including rent of ponds, lakes, sluices, or other sources of water supply for this purpose, and right of way for pipe lines.

NOTE A.— The apportionment of water as between yard and road locomotives should be on the basis of the relative number of tender tanks taken.

NOTE B.— Cost of water and expenses of water supply for locomotives engaged in work-train service should be charged as a part of the work on which engaged.

LUBRICANTS FOR ROAD LOCOMOTIVES.

This account includes the cost of valve, engine, and car oil, grease, waste, and compounds for the lubrication of locomotives in road service.

NOTE.— Cost of lubricants for locomotives engaged in work-train service should be charged as a part of the work on which engaged.

OTHER SUPPLIES FOR ROAD LOCOMOTIVES.

This account includes the cost of headlight and signal oil and wicks used in headlights, signal lights, and enginemen's torches; supplies for electric light dynamos, and carbide for acetylene gas for lights on locomotives in road service; also the cost of furniture, tools, and other movable articles and supplies required fully to equip road locomotives for service; fuel for sand dryers and cost of sand and of loading it at sand pits; wheelbarrows, shovels, and sand screens used in handling sand for road locomotives.

The following are some of the more important items chargeable to this account:

Ash hoes,
Ash-pan rods,
Axes,
Bars, buggy,
Bell cords,
Boxes (portable),
Brooms,
Brushes,
Buckets,
Chimneys (headlight),
Chisels,
Clinker hooks,
Crowbars,
Files,
Grate shakers,
Flags,
Hammers,
Handsaws,
Hatchets,
Hose (not air brake, air signal, or steam),
Hose reels,
Jacks,
Jackscrews,
Lamps (signal only),
Lanterns and parts,
Locks for portable boxes,
Matches,
Metallic packing,
Oilers,
Oil cans,
Packing hooks,
Packing spoons,
Picks,
Pinch bars,
Plugging bars,
Pokers,
Sand,
Saws,
Scoops,
Shovels,
Slash bars,
Sledges,
Soap,
Switch chains,
Switch ropes,
Switch poles,
Thaw-out hose,
Tool boxes (portable),
Torches,
Torpedoes,
Water buckets,
Water coolers,
Wrecking frogs,
Wrenches.

NOTE A.— Cost of other supplies for locomotives engaged in work-train service should be charged as a part of the work on which engaged.

NOTE B.— The cost of sand as between yard and road locomotives being undeterminable, the entire cost of sand issued to all locomotives should be charged to this account.

OPERATING POWER PLANTS.

This account includes:

PAY.— Pay of employees engaged in operating electric power stations and substations, including engine rooms, boiler houses, dynamo or power houses, etc., such as engineers, firemen, electricians, dynamo men, oilers, cleaners, coal passers, and other employees, except those engaged in making repairs and renewals.

FUEL.— All expenditures for coal, oil, or gas used as fuel, or other fuel, including freight or other delivery charges, if any, and labor unloading or stocking.

WATER.— Cost of water used to produce steam, or to operate a water power plant, including pumping, rent of ponds, streams, and pipe lines.

OTHER SUPPLIES AND EXPENSES.— Cost of lubricants, oil, waste, grease, etc., used on engines, shafting, dynamos, and pumps; also carbon brushes, fuses, lamps, and other supplies, heat, light, and other expenses not elsewhere specified.

PURCHASED POWER.

This account includes all payments for power purchased for the propulsion of electric locomotives, trains, or cars.

ROAD TRAINMEN.

This account includes the pay of train auditors, conductors, baggagemen, brakemen, flagmen, train porters (except on cars used in non-revenue service), train guards, water carriers, and other trainmen while engaged in revenue train service, or deadheading in connection therewith; also pay of pilots engaged in piloting trains over home lines.

NOTE.— Pay of trainmen engaged in work-train service should be charged as a part of the work on which engaged.

TRAIN SUPPLIES AND EXPENSES.

This account includes:

CLEANING CARS.— Pay of car cleaners; also employees engaged in scrubbing the outside of cars at car cleaning or station yards; cost of hose for washing cars, steam hose, and fuel for heating water for washing cars, water used for cleaning cars, compressed air for cleaning cushions and car seats; brooms, brushes, soap, modoc, and other liquids, sponges, and all other material for cleaning and disinfecting cars.

HEATING CARS.— Pay of employees engaged in handling coal for heating cars and removing ashes from stoves in cars; stoves and heaters for temporary use in freight cars; cost of hose and loose or movable articles connected with heating plants at stations used for supplying heat to cars; fuel, steam, or other heating materials, expenses of boiler plants used for supplying heat to cars at stations and yards.

LIGHTING CARS.— Pay of employees engaged in filling and cleaning lamps for lighting cars; cost of supplying or pumping gas into cars and hose used in connection therewith; gas, electric current, oil, candles, wicks, globes, shades, chimneys, and all other supplies used in lighting cars; supplies and fuel for gas-pumping plants, gas-pump engines, gas pumps, carbureters, and filling cans for carbureters.

LUBRICATING CARS.— Pay of car oilers; also employees engaged in distributing supplies for lubricating cars; cost of tools, such as packing hooks and irons, dope buckets, oil, grease, waste, wool, and other supplies used in lubricating cars.

ICING AND WATERING CARS.— Pay of employees engaged in icing and watering cars; cost of ice, water, and tools, such as buckets, ladders, and hose used in icing and watering cars; also cost of refrigeration when borne by the carrier.

DETOURING TRAINS.— Cost of temporary use of tracks of other railroads, including the cost of pilot service, on account of wrecks, washouts, landslides, snow blockades, and other defects of tracks, bridges, or tunnels.

OTHER EXPENSES.—Pay of attendants' keeping, and cost of supplies furnished, bunk rooms for engineers, firemen, and trainmen; contributions to Y. M. C. A. and similar organizations, including pay of superintendents and secretaries of reading rooms; cost of oil and wicking for train signal lamps and for lanterns of trainmen (except work-train men), waste for cleaning lamps and lanterns, and pay of employees engaged exclusively in cleaning, trimming, and filling them; cost of miscellaneous supplies furnished cars for the purpose of protection against accidents and fires; provisions, supplies, or board for passengers, or feed for live stock, on snow-bound trains or trains delayed by other causes; cost of bedding for stock cars, dunnage furnished cars, chains for securing loads, temporary grain doors, temporary lining of freight cars for carrying freight otherwise liable to injury, planking cars for shipments of billets and other material, boards for flooring fruit cars, boards and slats to fit box and stock cars for carrying coal, coke, and other freight; safety chains for holding together twin and triple cars; opening ends of cars for shipment of rails and structural material; transferring passengers, express matter, baggage, mail, and freight on account of defective tracks, bridges, or tunnels; premiums on fidelity bonds of trainmen; cost of apparatus for testing sight and hearing of engineers, firemen, and trainmen; uniforms, uniform trimmings, and badges for trainmen; laundry work for cars; also cost of miscellaneous supplies required fully to equip revenue trains for service.

The following is a list of the more important articles chargeable to this account:

Axes,
Beds, bed linen, and blankets,
Bell cords (renewals),
Brooms,
Brushes,
Bull's-eyes,
Candles,
Chains,
Chimneys,
Cold chisels,
Conductors' punches,
Cuspidors,
Disinfecting machines, portable,
Fire buckets,
Flags,
Fusees,
Grease buckets,
Hammers,
Hatchets,
Ice,
Jacks,
Jackscrews,
Lamp boards,
Lantern fixtures,
Lanterns,
Lumber for dunnage,
Matches,
Medical boxes,
Notices,
Oil cans,
Order hoops,
Packing hooks,
Padlocks and customs' locks on cars,
Pails,
Punches,
Saws,
Scoops,
Shovels,
Signal boxes,
Signs on cabooses,
Sledges,
Soap,
Straw and sawdust,
Switch chains,
Switch ropes,
Tin boxes for trainmen,
Torpedoes,
Towels,
Trainmen's lanterns,
Train signal lamps,
Train tool boxes,
Tumblers,
Ventilator and lamp sticks,
Water buckets,
Water coolers,
Wrecking frogs,
Wrenches.

INTERLOCKERS, BLOCK, AND OTHER SIGNALS — OPERATION.

This account includes pay of employees engaged in operating signals and interlocking plants (other than those exclusively used

for the government of the movement of yard locomotives and trains), such as switch tenders, signalmen (other than telegraph operators), levermen, batterymen, stationary engineers and firemen operating air compressors used in connection with signals; lamp men, lamp cleaners, and lamp lighters; cost of supplies used in operating signals, and cost of fuel, water, light, furniture, and supplies for signal offices.

NOTE.— Pay of employees engaged exclusively in operating yard signal and interlocker plants should be charged to account "Yard Switch and Signal Tenders."

CROSSING FLAGMEN AND GATEMEN.

This account includes pay of street and highway crossing gate keepers and flagmen and cost of supplies used by them.

DRAWBRIDGE OPERATION.

This account includes all labor expended in the operation of drawbridges, such as pay of bridge tenders, engineers of stationary engines turning drawbridges, watchmen, etc.; also cost of supplies such as fuel, oil, lanterns, water, waste, boats, stoves, chairs, brooms, pails, etc.

CLEARING WRECKS.

This account includes all expenses of clearing wrecks (except wrecks of work trains, which should be charged to the work on which the train was engaged); cost of material used and labor expended in replacing wrecked equipment upon the tracks, and the attendant expenses of the wrecking trains and wrecking tools used in such work; cost of labor building temporary tracks around wrecks and removing such tracks; payments for reloading or transferring freight, passengers, express, baggage, and mail; provisions or board for men clearing up or watching at wrecks.

TRAIN SERVICE.— Pay of train enginemen, trainmen, and enginehouse men; cost of fuel, stores, and other supplies for train locomotives and cars; cost of oil and wicking used in lanterns of train enginemen and trainmen while such employees and equipment are engaged in clearing wrecks.

NOTE.— The cost of restoring roadbed and tracks to original condition, and the cost of repairing and renewing equipment damaged or destroyed in wrecks, should be charged to the proper "Maintenance of Way and Structures" and "Maintenance of Equipment" accounts.

TELEGRAPH AND TELEPHONE — OPERATION.

This account includes:

OPERATORS AND MESSENGERS.— Pay of telegraph operators and messengers in telegraph and relay offices other than those employed in dispatching trains and those located at stations who also perform other station work.

TELEPHONES.— Pay of operators and messengers; cost of chemicals, coppers, zincs, and other supplies for charging telephone bat-

teries; costs incident to the use of telephone cable lines and conduits, and telephone rents and expenses not otherwise provided for.

OTHER EXPENSES.— Pay and expenses of superintendent of telegraph, his clerks and attendants, and incidental office expenses; pay and expenses of telegraph censor; cost of chemicals, coppers, zincs, and other supplies for charging telegraph batteries; rent, fuel, light, furniture, and other supplies for telegraph offices; bicycles for messengers; excess payments to telegraph companies; costs incident to rent of telegraph conduits, telegraph lines, and telegraph poles of other companies.

NOTE.— The salaries and expenses of superintendents and assistant superintendents of telegraph when engaged in both maintaining and operating telegraph and telephone lines should be charged 50 per cent. to account "Telegraph and Telephone Lines" and 50 per cent. to account "Telegraph and Telephone — Operation."

OPERATING FLOATING EQUIPMENT.

This account includes, when not chargeable to "Outside Operations":

STEAMBOATS AND TUGBOATS — SUPERINTENDENCE AND MANNING. — Pay of ferry superintendent, his clerks and attendants, ferry station master, ferry agents, passenger and vehicle ticket sellers and collectors, bridgemen, gatemen, cleaners, and storekeepers at ferries, and all employees on ferryboats, steamboats, power launches, steam lighters, and tugboats; proportion of pay of lighter master, his clerks and attendants; premiums on fidelity bonds of such employees.

STEAMBOATS AND TUGBOATS — CHARTERS.— Cost of chartering ferryboats, steamboats, power launches, steam lighters, and tugboats; and payments for towage.

STEAMBOATS AND TUGBOATS — INCIDENTALS.— Cost of ropes, mops, brooms, soap, brushes, dusters, pails, hose, globes, wicks, water, gas, oil, tallow, grease, waste, lamps, flags, ice, planks, axes, shovels, trucks, handspikes, and other supplies and tools for ferryboats, steamboats, power launches, power lighters, and tugboats; pumping out boats laid up; raising sunken boats; removing ashes from boats; removing ice from around ferry bridge pontoons; transferring passengers in case of accident; inspecting; electric and other lighting on boats and at ferries; expenses for wharfage; payments of custom-house or license fees, and for damage to vessels and wharves of others by collision or otherwise; and other expenses of similar nature.

BARGES, CAR FLOATS, AND CANAL BOATS — SUPERINTENDENCE AND MANNING.— Pay of employees on barges, car floats, canal boats, and lighters; and proportion of pay of lighter master, his clerks and attendants.

BARGES, CAR FLOATS, AND CANAL BOATS — CHARTERS.— Cost of chartering barges, car floats, canal boats, and lighters; and payments for lighterage.

BARGES, CAR FLOATS, AND CANAL BOATS — INCIDENTALS.— Cost of ropes, mops, brooms, soap, brushes, pails, hose, globes, wicks, oil, water, and other supplies for barges, car floats, canal boats, and lighters; removing cars or car trucks lost overboard from floats; inspecting; pumping out boats laid up; raising sunken boats; transferring cargoes in case of accident; expenses for wharfage; payments of custom-house and license fees, and for damage to vessels and wharves of others by collision or otherwise; and other expenses of similar nature.

The following is a list of the more important articles chargeable to this account:

Axes,	Hatchets,	Shovels,
Bed linen and blankets,	Hose for cleaning,	Stores,
Commissary supplies,	Ice,	Tablecloths,
Cooking utensils,	Lamps,	Tableware,
Flags,	Laundry,	Tallow,
Grease,	Lines,	Trucks,
Handspikes and other tools,	Oil,	Waste,
	Oilers,	Water,
	Planks,	Wool,
	Provisions,	Wrenches.

FUEL.— Cost of fuel used on steamboats, power launches, power lighters, ferryboats, and tugboats, including freight charges and expenses of delivering fuel on boats.

ELEVATION AND LONGSHORE LABOR.— Pay of bridgemen at transfer bridges, watchmen, longshoremen, and laborers employed at wharves, piers, and docks in loading and unloading lighterage freight, loading and discharging cargoes, and in operating steam or other power for same; payments for power (not furnished by the corporation) used in loading and discharging cargoes; expenses incident to heating and lighting; cost of supplies not chargeable to account "Station Supplies and Expenses" used in connection with operating wharves, piers, and docks, and power and supplies for transfer or float bridges.

The following is a list of the more important articles used at float bridges and piers in connection with the float movement of freight exclusively, and supplies furnished float master's office, chargeable to this account:

Brooms,	Incandescent lights,	Shovels,
Carbons,	Lamps, reflector,	Soap,
Chalk,	Lanterns,	Tacks,
Coal hods,	Marline	Tallow,
Coal shovels,	Matches,	Torches,
Cold chisels,	Oil,	Towels,
Crowbars,	Oil cans,	Twine,
Gas,	Pails,	Waste,
Hammers,	Pinch bars,	Water,
Hatchets,	Ropes,	Water coolers,
Ice,	Salt,	Wheelbarrows.
Ice tongs,	Scoops,	

NOTE.— Insurance recovered should be credited to this account.

EXPRESS SERVICE.

This account includes, when not chargeable to "Outside Operations":

DRIVERS AND MESSENGERS.— Pay of express messengers, drivers, and helpers; pay of baggagemasters handling express, and premiums on their fidelity bonds; cost of uniforms, uniform trimmings, and badges for express messengers, drivers, and helpers.

HORSES AND HORSE KEEP.—Pay of stablemen in express service; rent of stables; cost of replacing stock; and feeding and shoeing stock.

WAGONS AND HARNESS.— Cost of repairing and renewing wagons, harness, and automobiles used in express service.

STATIONERY AND PRINTING.

This account includes the cost of stationery, stationery supplies, printing, books, and blank forms used in connection with transportation expenses. Dictionaries, periodicals, technical books, etc., should be charged to account "Superintendence."

The following is a list of the more important items chargeable to this account:

Adding machines,
Addressographs and supplies,
Arm rests,
Baggage checks, printed,
Bills of lading,
Binders,
Blank books,
Blank cards,
Blank forms,
Blank paper,
Blank tablets,
Blotters,
Blotting paper,
Blue print paper,
Books for field notes,
Bristol board,
Calculating machines,
Calendars,
Caligraphs,
Carbon paper,
Cardboard,
Cards,
Circulars,
Computing tables,
Pins,
Postage,
Printed cards,
Printed tablets,
Profile books and paper,
Punches (not conductors' or baggagemen's),
Rubber bands,
Rubber stamps,
Rulers,
Ruling pens,
Scrapbooks,
Sealing wax,
Copy (impression) books,
Copying brushes,
Copying presses,
Crayons,
Cross-section books,
Cross-section paper,
Cyclostyles,
Dating stamps and ribbons,
Drawing paper,
Delivery tickets,
Duplicators,
Electric pens,
Envelopes,
Erasers, rubber and steel,
Eyelet punches,
Eyelets,
Forms,
Fuel tickets,
Glass pens,
Hektographs,
Indexes,
Ink for writing and drawing,
Inkstands,
Invoice books,
Legal-cap paper,
Seals,
Shears,
Shipping tags,
Shorthand notebooks,
Sponges,
Sponge cups,
Stamps, impression,
Stylographs,
Tablets,
Tape,
Telegraph blanks,
Tickets,
Ticket stamps,
Time-tables,
Letter paper,
Manifold paper,
Manifold pens,
Mimeographs,
Mucilage,
Mucilage brushes,
Neostyles,
Note paper,
Notices,
Numbering stamps,
Oil paper,
Orders,
Paper,
Paper baskets,
Paper clips,
Paper cutters,
Paper fasteners,
Paper files,
Paper weights,
Papyrographs,
Parchment paper,
Pencils, for writing and drawing,
Pencil sharpeners,
Penholders,
Penracks,

Pens, for writing and drawing,
Tissue (impression) paper,
Tracing cloth,
Tracing paper,
Twine,
Typewriters and ribbons,
Wage tables,
Wastebaskets,
Water colors,
Water holders,
Waybills,
Wrapping paper,
Wringers for copying presses.

INSURANCE.

This account includes all premiums made or paid by a carrier to its insurance fund and premiums (except reinsurance premiums) paid by it to insurance companies for insuring property or persons against loss, damage, or injury by fire, accident, or other causes, when such loss, damage, or injury would otherwise be chargeable to "Transportation Expenses."

NOTE A.— The premiums paid by a carrier to its insurance fund should be credited on its books to an "Insurance Fund" account, to which the amount of all claims for damages to the property covered by its insurance should be charged. To such account should be charged all reinsurance premiums paid insurance companies, and to it should be credited all amounts recovered from insurance companies for damage to property reinsured by them.

NOTE B.— Appropriations made by a carrier to its insurance fund through Income Account should be credited directly to its "Insurance Fund" account.

OTHER EXPENSES.

This account includes all expense in connection with transportation not properly chargeable to other "Transportation Expenses" accounts.

LOSS AND DAMAGE — FREIGHT.

This account includes payments for loss, damage, delays, or destruction of freight, locomotives, or cars when waybilled as freight (but not including company's material), parcels, or express intrusted to a carrier for transportation, including live stock received for shipment, and all expenses directly incident thereto; freight in transit lost overboard from lighters (less insurance recovered and net amount received from sale of unclaimed and damaged freight); cost of repacking and boxing damaged merchandise and other property; pay and expenses of employees or others engaged as adjusters and in detecting thieves; and services and expenses of employees or others while engaged as witnesses in law suits in connection with loss and damage cases.

NOTE.— Expenses not otherwise provided for in connection with the conduct of suits should be charged to account "Law Expenses," but the amount of final judgments, including plaintiffs' court costs, should be charged to this account.

LOSS AND DAMAGE — BAGGAGE.

This account includes payments for loss, damage, or destruction of baggage and other personal property, including clothing carried as baggage, damage to clothing worn by persons not in acci-

dent; and all expenses directly incident thereto, including services and expenses of employees or others while engaged as witnesses in law suits in connection with cases involving loss or damage to baggage, less insurance recovered and net amount received from sale of unclaimed and damaged baggage.

NOTE.— Expenses not otherwise provided for in connection with the conduct of suits should be charged to account "Law Expenses," but the amount of the final judgments, including plaintiffs' court costs, should be charged to this account.

DAMAGE TO PROPERTY.

This account includes payments for damages to or destruction of crops, buildings, lands, fences, vehicles, or any other property (except freight and baggage intrusted for transportation, and except also stock as provided for under account "Damage to Stock on Right of Way"), whether occasioned by fire, collision, or otherwise, less insurance recovered; payments for damages to locomotives or cars and the property therein of another corporation having trackage rights caused by collision of trains; and cost of repairing damage to another railway corporation's roadbed, track, or equipment, caused by collisions at grade crossings; detecting thieves, detaining vessels at drawbridges, and payment of fines and costs on account of blocking street crossings; also pay and expenses of employees and other witnesses in suits.

NOTE A.— Expenses not otherwise provided for in connection with the conduct of suits should be charged to account "Law Expenses," but the amount of final judgments, including plaintiffs' court costs, should be charged to this account.

NOTE B.— The pay and expenses of claim adjusters, clerks, and others, whose pay can not be actually allocated to any case, should be divided equally between personal injury and other claims over which they have jurisdiction.

DAMAGE TO STOCK ON RIGHT OF WAY.

This account includes payments for cattle and other live stock killed or injured while crossing or trespassing on the right of way; cost of removing and burying same; pay and expenses of stock claim agents; pay and expenses of employees and other witnesses in suits.

NOTE A.— Expenses not otherwise provided for in connection with the conduct of suits should be charged to account "Law Expenses," but the amount of final judgments, including plaintiffs' court costs, should be charged to this account.

NOTE B.— The pay and expenses of claim adjusters, clerks, and others, whose pay can not be actually allocated to any case, should be divided equally between personal injury and other claims over which they have jurisdiction.

INJURIES TO PERSONS.

This account includes all expenses incident to injuries to persons when caused directly in connection with transportation; proportion of salaries and expenses of physicians and surgeons, expenses of undertakers, nursing and hospital attendance, medical and surgical supplies, artificial limbs, funeral expenses, railway and carriage fares for conveying injured persons and attendants; also proportion of pay and expenses of claim adjusters and their clerks, and pay and expenses of employees and others called in consultation in relation to the adjustment of claims coming under this head.

NOTE A.— Expenses not otherwise provided for in connection with the conduct of suits should be charged to account "Law Expenses," but the amount of final judgments, including plaintiffs' court costs, should be charged to this account.

NOTE B.— When contributions are made to hospitals, the total thereof should be distributed to the several "Injuries to Persons" accounts as follows: 25 per cent. to "Maintenance of Way and Structures," 25 per cent. to "Maintenance of Equipment," and 50 per cent. to "Transportation Expenses."

NOTE C.— The pay and expenses of claim adjusters, clerks, and others whose pay can not be actually allocated to any case should be divided equally between personal injury and other claims over which they have jurisdiction.

OPERATING JOINT TRACKS — DR.

This account includes a carrier's proportion of transportation expenses in the use of joint tracks operated by other corporations.

NOTE.— The purpose of this account is to show the amounts accruing against a carrier for its proportion of the expense of operating joint tracks operated by other corporations but in the joint use of which a carrier participates. The bill rendered by any creditor against a debtor for the latter's proportion of expense of operation of joint facilities should show the distribution of the total charge among the general accounts as made by the creditor, and such distribution should be adhered to by the debtor.

OPERATING JOINT TRACKS — CR.

This account includes the proportion of transportation expenses for the use of joint tracks operated by a carrier chargeable to other corporations.

NOTE.— The purpose of this account is to show the amounts accruing in favor of a carrier against other corporations for their proportion of the expense of operating joint tracks operated by a carrier but in the joint use of which other corporations participate. The bill rendered by any creditor against a debtor for the latter's proportion of expense of operation of joint facilities should show the distribution of the total charge among the general accounts as made by the creditor, and such distribution should be adhered to by the debtor.

V. GENERAL EXPENSES.

SALARIES AND EXPENSES OF GENERAL OFFICERS.

This account includes:

SALARIES.— Pay of chairman of board, president, vice-president, assistant to the president, assistant to the vice-president, treasurer, assistant treasurer, local treasurer, assistant to the treasurer, secretary, assistant secretaries, treasurers and secretaries of branch lines, registrar of stock, registrar of bonds, transfer agent, comptroller, assistant comptroller, assistant to the comptroller, general auditor, auditor, assistant auditor, and all subordinate officers of the accounting department, freight claim agent, assistant freight claim agent, general accountant, real estate agent, assistant real estate agent, and tax commissioner; and all other general officers not otherwise provided for; salaries and fees of receivers.

EXPENSES.— This account includes traveling and other expenses of officers named above, and supplies for special cars while used by them, and cost of running special trains for them; membership fees of general officers in railway and other associations.

NOTE A.— When an officer's duties are restricted to an individual department, his salary and expenses should be charged to the individual department under account "Superintendence" or account "Law Expenses."

NOTE B.— When officers and others above enumerated also have supervision over other departments, their salaries and expenses should be apportioned equally between the departments over which they have jurisdiction.

NOTE C.— The pay and expenses of purchasing agents, assistant purchasing agent, assistant to purchasing agent, general storekeeper, division storekeeper, and their clerks should be charged to "Material" account through clearing account "Store Expenses."

SALARIES AND EXPENSES OF CLERKS AND ATTENDANTS.

This account includes:

CLERKS.— Pay of chief accountants, chief and other clerks of the officers specified in account "Salaries and Expenses of General Officers," cashiers, paymasters and their clerks, traveling auditors, traveling accountants, special agents, inspectors and route agents of the accounting department, and postmaster, mail clerks, and assistants in general office.

ATTENDANTS.— Pay of superintendent and assistant superintendent of general office building, bank messengers, ushers in general offices, pumpmen, watchmen, messengers, service-wagon drivers, stablemen, janitors, cleaners, elevator conductors, engineers and firemen of stationary engines, telephone operators and other employees in connection with general offices not provided for elsewhere; also pay of porters, cooks, etc., in general office buildings and on special cars while in use by general officers and general office employees.

EXPENSES.— This account includes traveling and other expenses of employees named above and supplies for special cars while used by them; also cost of running special trains for them.

GENERAL OFFICE SUPPLIES AND EXPENSES.

This account includes rent, repairs of rented buildings and fixtures therein, alterations of partitions and fixtures; furniture, and all expenses and supplies incident to the heating, lighting, and care of general offices; cost of service automobiles, wagons, and harness, and expenses of repairing; cost of horses and horse keep, and of atlases, directories, and other books of reference for general office use; telephone service, express charges, telegraph and cable tolls; payments for local messenger service, subscriptions for newspapers and periodicals; premiums on fidelity bonds of general office employees.

LAW EXPENSES.

This account includes pay and expenses of vice-president and assistants when directly in charge of the law department, all counsel, solicitors, and attorneys, their clerks and attendants, and expenses of their offices; cost of law books, printing briefs, legal forms, testimony, reports, etc.; fees and retainers for service of attorneys not regular employees of a carrier; payments to arbitrators for the settlement of disputed questions; costs of suits and payments of special fees, notarial fees, and witness fees not provided for elsewhere; expenses connected with taking depositions, and all law and court expenses not provided for elsewhere.

INSURANCE.

This account includes all premiums made or paid by a carrier to its insurance fund and premiums (except reinsurance premiums) paid by it to insurance companies, for insuring property or persons against loss, damage, or injury by fire, accident, or other causes, when such loss, damage, or injury would otherwise be chargeable to "General Expenses."

NOTE A.— The premiums paid by a carrier to its insurance fund should be credited on its books to an "Insurance Fund" account, to which the amount of all claims for damages to the property covered by its insurance should be charged. To such account should be charged all reinsurance premiums paid insurance companies, and to it should be credited all amounts recovered from insurance companies for damage to property reinsured by them.

NOTE B.— Appropriations made by a carrier to its insurance fund through Income Account should be credited directly to its "Insurance Fund" account.

RELIEF DEPARTMENT EXPENSES.

This account includes all salaries and expenses incurred by a carrier in connection with operating relief departments; also contributions made by a carrier to such department.

PENSIONS.

This account includes all pensions paid to retired employees and expenses in connection therewith.

STATIONERY AND PRINTING.

This account includes cost of printing annual reports, blank books, blank forms, contracts, leases, bonds, stock certificates, passes; also postage, paper, stationery, and stationery supplies used only in general offices and not chargeable to other accounts. It includes cost of all stationery and printing of the law department, except cost of printing briefs, legal forms, testimony, reports, etc.

The following is a list of the more important items chargeable to this account:

Adding machines,
Addressographs and supplies,
Arm rests,
Binders,
Blank books,
Blank cards,
Blank forms,
Blank tablets,
Blotters,
Blotting paper,
Blue print paper,
Bristol board,
Calculating machines,
Calendars,
Caligraphs,
Carbon paper,
Cardboard,
Cards,
Circulars,
Computing tables,
Copy (impression) books,
Copying brushes,
Copying presses,
Crayons,
Cyclostyles,
Dating stamps and ribbons,
Drawing paper,
Duplicators,
Electric pens,
Envelopes,
Erasers, rubber and steel,
Eyelet punches,
Eyelets,
Forms,
Glass pens,
Hektographs,
Indexes,
Ink, for writing and drawing,
Inkstands,
Invoice books,
Legal-cap paper,
Letter paper,
Manifold paper,
Manifold pens,
Mimeographs,
Mucilage,
Mucilage brushes,
Neostyles,
Note paper,
Notices,
Numbering stamps,
Oil paper,
Orders,
Paper,
Paper baskets,
Paper clips,
Paper cutters,
Paper fasteners,
Paper files,
Paper weights,
Papyrographs,
Parchment paper,
Pencils, for writing and drawing,
Pencil sharpeners,
Penholders,
Penracks,
Pens, for writing and drawing,
Pins,
Postage,
Printed cards,
Printed tablets,
Punches (not conductors' or baggagemen's),
Rubber bands,
Rubber stamps,
Rulers,
Ruling pens,
Scrapbooks,
Sealing wax,
Seals,
Shears,
Shipping tags,
Shorthand notebooks,
Sponge cups,
Sponges,
Stamps, impression,
Stylographs
Tablets,
Tape,
Telegraph blanks,
Tissue (impression) paper,
Tracing cloth,
Tracing paper,
Twine,
Typewriters and ribbons,
Wage tables,
Wastebaskets,
Water colors,
Water holders,
Wrapping paper,
Wringers for copying presses.

OTHER EXPENSES.

This account includes incidental expenses only; that is, such expenses in connection with "General Expenses" as are not properly chargeable to any of the foregoing accounts; cost of publishing notices of stockholders' meetings, of election of directors, annual reports in newspapers, of dividends declared, and of other corporate and financial notices of a general character; fees and expenses paid to directors; also contribution to funds on account of catastrophes, epidemics, etc.

GENERAL ADMINISTRATION JOINT TRACKS, YARDS, AND TERMINALS — DR.

This account includes a carrier's proportion of "General Expenses" incident to maintaining and operating joint tracks, yards, terminals, and other facilities used jointly, operated by other corporations.

NOTE.— The purpose of this account is to show the amounts accruing against a carrier for its proportion of the expense of general administration of joint tracks, yards, and terminals administered by other corporations but in the joint use of which a carrier participates. The bill rendered by any creditor against a debtor for the latter's proportion of expense of operation of joint facilities should show the distribution of the total charge among the general accounts as made by the creditor, and such distribution should be adhered to by the debtor.

GENERAL ADMINISTRATION JOINT TRACKS, YARDS, AND TERMINALS — CR.

This account includes the proportion of "General Expenses" incident to maintaining and operating joint tracks, yards, terminals, and other facilities used jointly, operated by a carrier, chargeable to other corporations.

NOTE.— The purpose of this account is to show the amounts accruing in favor of a carrier against other corporations for their proportion of the expense of general administration of joint tracks, yards, and terminals administered by a carrier but in the joint use of which other corporations participate. The bill rendered by any creditor against a debtor for the latter's proportion of expense of operation of joint facilities should show the distribution of the total charge among the general accounts as made by the creditor, and such distribution should be adhered to by the debtor.

CLASSIFICATION OF LOCOMOTIVE-MILES.

REVENUE SERVICE.

FREIGHT LOCOMOTIVE-MILES —

Includes miles run by locomotives between terminals or stations with freight trains; also miles run by locomotives between terminals or stations, with or without cabooses, going for or returning from this service; miles run by locomotives while assisting freight trains either as pushers or double-headers; miles run while hauling the second cut of a freight train doubled over grades; miles run light by locomotives going to or returning from assisting freight trains, as pushers or double-headers; miles run light returning to train after having hauled the first cut of a freight train doubled over grades; miles run light by locomotive of a freight train to and from the next coaling station or water

tank for coal or water; miles run light to pick up or assist a freight train at stations between train terminals; miles run to pick up and haul dead freight-train locomotives into terminals; also miles run by locomotives coming from or going to enginehouses or turntables from freight-train service; *provided*, no miles be allowed for this latter service if the distance be one-half mile or less in one direction.

PASSENGER LOCOMOTIVE-MILES —

Includes miles run by locomotives between terminals or stations with passenger, mail, and express trains; also miles run by locomotives going for or returning from this service; miles run by locomotives while assisting passenger, mail, and express trains either as pushers or double-headers; miles run light by locomotives going to or returning from assisting passenger trains, as pushers or double-headers; miles run light by locomotive of a passenger train to and from the next coaling station or water tank for coal or water; miles run light to pick up or assist a passenger train at stations between train terminals; miles run to pick up and haul dead passenger-train locomotives into terminals; also miles run by locomotives coming from or going to enginehouses or turntables from passenger-train service; *provided*, no miles be allowed for this latter service if the distance be one-half mile or less in one direction.

MIXED LOCOMOTIVE-MILES —

Includes miles run by locomotives between terminals or stations with mixed trains; also miles run by locomotives between terminals or stations, with or without cabooses or passenger-train cars, going for or returning from this service; miles run by locomotives while assisting mixed trains, either as pushers or double-headers; miles run while hauling the second cut of a mixed train doubled over grades; miles run light by locomotives going to or returning from assisting mixed trains, as pushers or double-headers; miles run light returning to train after having hauled the first cut of a mixed train doubled over grades; miles run light by mixed-train locomotive to and from the next coaling station or water tank for coal or water; miles run light to pick up or assist a mixed train at stations between train terminals; miles run to pick up and haul dead locomotives from mixed trains into terminals; also miles run by locomotives coming from or going to enginehouses or turntables from mixed-train service; *provided*, no miles be allowed for this latter service if the distance be one-half mile or less in one direction.

SPECIAL LOCOMOTIVE-MILES —

Includes miles run by locomotives in special revenue service, such as locomotives hauling chartered trains, paid for either on the basis of a rate per mile run or a lump sum for the train; circus and theatrical trains run under contracts calling for payments

of specified amounts for transportation between designated stations; chartered trains for the Federal or State governments, carrying troops, munitions of war, camp outfits, etc.; miles run while assisting special-service trains, either as pushers or double-headers; miles run while hauling the second cut of a special-service train doubled over grades; miles run by locomotives between terminals or stations, with or without cabooses or passenger-train cars, going for or returning from special service; miles run light by locomotives going to or returning from assisting special-service trains, as pushers or double-headers; miles run light returning to train after having hauled the first cut of a special-service train doubled over grades; miles run light by locomotive of special-service train to and from the next coaling station or water tank for coal or water; miles run light to pick up or assist a special-service train at stations between train terminals; miles run to pick up and haul dead locomotives from special-service trains into terminals; also miles run by locomotives coming from or going to enginehouses or turntables from special service; *provided,* no miles be allowed for this latter service if the distance be one-half mile or less in one direction.

SWITCHING LOCOMOTIVE-MILES —

Includes miles allowed to locomotives while switching in yards (but not at shops for shop purposes), and allowed to train locomotives for performing switching service at terminals or way stations.

NOTE A.— Switching miles should be computed at the rate of six miles per hour for the actual time engaged in such service in excess of one hour at any one station.

NOTE B.— Miles run by switching locomotives helping trains out of terminals, as well as miles run light returning to the yard after such service, should be treated as "Freight," "Passenger," etc., according to the class of the train helped.

NONREVENUE SERVICE LOCOMOTIVE-MILES.

Includes miles run by locomotives in the different classes of service described under "Nonrevenue Service Train-Miles," and in addition, trial trips of locomotives, to be computed as follows:

(*a*) In case of trains of the freight class or of the passenger class, and trial trips of locomotives, locomotive-miles should be the actual miles run by the locomotives.

(*b*) In case of trains of the work class, the following rules should be applied: When orders are given to a work train to run to a certain point, to work between certain limits and return, the actual time-card mileage should be allowed between points named in the running order, and in addition, 6 miles per hour for time held between working limits. Work locomotives employed for switching at shops for shop purposes, for spotting cars in gravel pits, working with pile drivers, etc., should be allowed a mileage of 6 miles per hour for the actual time in service.

RULES FOR COMPUTING LOCOMOTIVE-MILES.

1. All locomotive-miles made in hauling trains, except in helping and work-train service, should be based on the actual distance run between terminals, to be computed from the official time-table or distance table, as prescribed for train-miles.

2. Helping miles of locomotives should be based on the actual distance made with trains in helping service or in doubling hills.

3. Work-train locomotive-miles should be computed according to the rules prescribed for work-train miles.

4. Light locomotive-miles should be based on the actual distance locomotives run light, or with only a caboose, for the entire distance between terminals.

CLASSIFICATION OF CAR-MILES

REVENUE SERVICE.

FREIGHT CAR-MILES.

Loaded —

Includes miles run by all loaded freight cars in freight service.

Empty —

Includes miles run by all empty freight cars in freight service.

Caboose —

Includes miles run by caboose cars in freight service.

PASSENGER CAR-MILES.

Passenger —

Includes miles run by home and foreign passenger cars, combinations of passenger and baggage, passenger and mail, and passenger and express cars, chair, and club cars, either in service or deadhead.

Sleeping, Parlor, and Observation —

Includes miles run by home and foreign sleeping, parlor, and observation cars, either in service or deadhead.

Other Passenger-Train Cars —

Includes miles run by home and foreign dining, café, and other cars devoted exclusively to the serving of meals or other refreshments; by home and foreign baggage, combination baggage and express, and by combinations of baggage, mail, postal, and express cars; by home and foreign mail, postal, and express cars; also by milk cars in passenger trains; either in service or deadhead.

SPECIAL CAR-MILES.

Freight, loaded —

Freight, empty —

Caboose —

Passenger —

Sleeping, Parlor, and Observation —

Other Passenger-Train Cars —

Includes miles run by the foregoing cars under their appropriate classes, in special revenue service as defined in the Classification of Train-Miles.

NONREVENUE SERVICE CAR-MILES.

Includes miles run by cars in nonrevenue trains as defined in the Classification of Train-Miles.

CLASSIFICATION OF TRAIN-MILES.

REVENUE SERVICE.

FREIGHT TRAIN-MILES.

Includes miles run by revenue-earning trains to transport freight, which do not regularly include a car or cars devoted exclusively or principally to revenue passenger business; also miles run by trains consisting of empty freight cars and of trains consisting of a locomotive and a caboose running light between terminal stations on account of unbalanced traffic or other causes. When milk, express, baggage, or other cars are hauled in a freight train, their earnings should be classed as freight earnings and the miles of the train should be considered as freight train-miles. Freight trains that regularly haul no passenger service equipment, but transport passengers in a caboose, should be classed as freight trains, as should also freight trains temporarily using a passenger car in place of a caboose.

PASSENGER TRAIN-MILES.

Includes miles run by revenue-earning trains to transport passengers, baggage, mail, and express, also miles run by trains consisting of deadhead passenger equipment. When one or more cars other than regular passenger-train cars, such as milk cars, cabooses deadheaded back, etc., are hauled in a passenger train, the miles run by that train should be considered as passenger train-miles.

MIXED TRAIN-MILES.

Includes miles run by revenue-earning trains to transport both passengers and freight in cars, each of which is devoted exclusively to either passenger business or freight business.

SPECIAL TRAIN-MILES.

Includes miles run by revenue-earning trains, such as chartered trains, paid for either on the basis of a rate per mile run or a lump sum for the train; circus and theatrical trains run under contracts calling for payment of specified amounts for transportation between designated stations; chartered trains for the Federal or State governments carrying troops, munitions of war, camp outfits, etc.

NONREVENUE SERVICE TRAIN-MILES.

Includes miles run by trains which are not revenue producing, such as:

(*a*) Of the Passenger Class: Pay-trains, official trains, inspection trains for railway commissioners, special trains run to convey fire apparatus for use in saving the company's property from destruction by fire, and trains run to convey employees to and from work;

(*b*) Of the Freight Class: Material and supply trains; and

(*c*) Of the Work Class: Construction trains, trains hauling gravel or other ballast, or engaged in bank widening, ballasting, and other maintenance work; wrecking trains, repair trains, snowplows, and flangers.

RULES FOR COMPUTING TRAIN-MILES.

1. Revenue Train-Miles should be based on the actual distance run between terminals, and computed from the official time-table or distance table, the same as passenger-miles, ton-miles, and car-miles.

2. Revenue passenger trains and revenue mixed trains may incidentally carry private cars, official cars, work or service cars, or cars of related classes; and revenue freight trains may incidentally carry cars containing railway material and supplies, or other freight which does not earn revenue; but whole trains of such cars should be regarded as nonrevenue trains and classed accordingly.

3. Nonrevenue Train-Miles should be based on the actual distance run between terminals. When work trains are run between terminals, and not ordered to work at some specified point or within specified working limits, the actual miles run should be allowed to them, the same as to any other class of trains. When ordered to run to a certain point to work at that point or within specified working limits, the actual miles made while under running orders should be allowed to them, and in addition an arbitrary mileage of 6 miles per hour for the time working at the point or within the working limits named.

4. Each train and each section of a train run by a separate train crew should be considered a separate train, whether hauled by one or more locomotives for either the whole distance or a part of the distance between the train terminals. There should be nothing added to this distance to cover running from enginehouse to terminal, doubling hills, running for water, switching or other work at way stations, or for the service of helper or pusher locomotives or the extra locomotives on double- or triple-head trains.

5. Mileage of trains detoured over foreign roads when hauled by the locomotives and handled by the crews of the home company should be computed on the basis of miles actually run and classified by the detouring line in its train mileage, in accordance with the service performed.

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APPENDIX G.

Sundry Resolutions and Orders of General Application.

Adopted by the Commission and Issued as Circulars.

APPENDIX G.

RESOLVED, That each and every railroad and street railroad corporation and common carrier under the supervision of this Commission be and it is hereby required to file with this Commission sworn copies of all contracts, agreements, or arrangements to which it is a party, relating in any way to the carriage or transportation of freight, express matter, and passengers, or either, or to the handling, use, or transportation of cars or locomotives. That such sworn copies be filed not later than the 14th day of September, 1907.

RESOLVED, That the secretary forthwith serve by mail a certified copy of this resolution with notice of its adoption upon each person and corporation required by its terms to furnish copies of contracts and agreements.

[Adopted by the Commission August 12, 1907, and issued as Circular No. 6.]

RESOLVED, That all railroad corporations owning, operating, managing, or controlling any railroad, or any cars, or other equipment used thereon or in connection therewith, be and hereby are directed to report to this Commission on or before December 1, 1907, all important permanent improvements to their roadway, buildings, bridges and terminals, within this State, not intending hereby repairs or replacements to existing structures, which have been completed during the year ending June 30, 1907; also all such improvements now in progress but not completed, with their estimated cost and estimate of time when the same will be completed; also all new additions to their rolling stock and equipment, together with the cost of same; also all orders now outstanding for equipment which have not been filled. That such reports be made in concise form in a manner to be suggested in a circular to be issued. That such reports, when properly classified or tabulated, be published in the annual report of this Commission, to be submitted January 13, 1908, for the purpose of advising the public of the expenditures actually being made by railroad corporations to relieve existing unfavorable conditions. That a copy of this resolution and of such circular be served at once upon each railroad corporation operating in this State.

[Adopted by the Commission November 1, 1907, and issued as Circular No. 22.]

RESOLVED, That all railroad corporations transporting freight in carload lots, report to this Commission every case in which it has been unable to place a car for loading within four days after the time for which it was ordered, or if no time is designated in the order placed for the same, within four days after the receipt of the order. That such report be made daily by the local agent direct to this Commission, no report being required where there has been no failure to place a car within said four days. This order to take effect November 18, 1907, and to continue in force until further notice or order. That this resolution is not intended as an expression of opinion that four days is a proper length of time in which to place a car, but is designed merely to afford information as to existing conditions. That a certified copy of this resolution be served by the secretary on all railroad corporations affected thereby.

[Adopted by the Commission November 1, 1907, and issued as Circular No. 23.]

To Railroad Corporations: Referring to the requirements of Circular No. 23, dated November first, 1907, relating to the daily report by the local agent direct to the Commission, of inability to place a car for loading within four days after the time for which it was ordered, the Commission directs that such reports may be sent by the agent to the general manager or other officer designated by the company for that purpose, and in such case the original reports shall be transmitted by the officer designated to this Commission.

[Adopted by the Commission, and issued as Circular No. 23 — Supplement No. 1.]

RESOLVED, That in the event of any steam railroad company refusing to accept freight destined for a point within this State by a route wholly within the State, for transportation over its railroad, by an order which is commonly known as an embargo, it shall at once transmit to this Commission a copy of the order directing such refusal or embargo, together with a full and detailed statement of the reasons upon which it relies as a justification for such order, and that when such order or embargo is revoked or modified, immediate notice shall be given the Commission. That the terms of and reasons for any embargo now existing shall be at once reported to this Commission. That a certified copy of this resolution be served by the secretary on all railroad corporations affected thereby.

[Adopted by the Commission November 1, 1907, and issued as Circular No. 24.]

RESOLVED, That a hearing be had at Albany on the 25th day of November, 2 p. m., upon the subject of the use of mileage books upon steam railroads, at which the following questions will be considered:

1. Whether it is not feasible for such railroads to adopt and use an interchangeable mileage book good upon all steam railroads within this State, with suitable exceptions of short roads operating under peculiar conditions.
2. Whether the rate per mile for such mileage books should not be uniformly two cents.
3. Whether such books should not be issued without restrictions and without requiring signatures, being equivalent in effect to coupon tickets.
4. Whether the minimum number of miles for which such mileage books shall be sold should not be 500, with books for multiples of 500 for the convenience of those desiring them.
5. That notice of such hearing with a copy of this resolution be served at once by the secretary upon each and every steam railroad company operating within this State.

[Adopted by the Commission November 1, 1907, and issued as Circular No. 25.]

RESOLVED, That all steam railroads companies operating within this State be required to file with this Commission copies of their standard engine failure reports, commencing with the month of September, 1907, and continuing until further order. The copy of such report for the month of September to be filed at once, and for succeeding months as soon as made out. That in filing the report for the month of September each railroad company state clearly what constitutes an engine failure under its system of reports. That the secretary serve forthwith this resolution upon each corporation affected thereby.

[Adopted by the Commission November 1, 1907, and issued as Circular No. 26.]

RESOLVED, That each steam railroad company operating in this State and reporting in its annual report first and second class passenger cars be required

to define what constitutes a first-class car and what a second-class car under the system of classification. That the secretary serve a copy of this resolution on all companies so reporting.

[Adopted by the Commission November 7, 1907, and issued as Circular No. 27.]

RESOLVED, That all steam railroad companies, subject to the supervision of this Commission, having locomotive classification books, sometimes called an equipment book, be required to file with this Commission a copy of such book, giving in all cases the individual numbers of the several locomotives in each class and also the tractive power of each class. That any steam railroad company not having such a classification or equipment book be required to furnish the following information concerning each class of its locomotives, with number of engines in each class and the individual numbers of the several locomotives, to wit:

Class of Engine (Cole Classification);
Size of Cylinders;
Diameter of Driving Wheels;
Weight on Drivers;
Weight on Engine Truck;
Total Weight of Engine;
Steam Pressure;
Diameter of Smallest Ring of Boiler;
Length and Width of Fire Box;
Grate Area;
Heating Surface (Flues);
Heating Surface (Fire Box);
Heating Surface (Total);
Tractive Power;
Tender (Water Capacity);
Tender (Coal Capacity);
Tender (Weight);
Total Weight of Engine and Tender.

That such books and information be filed as early as practicable, and not later than December 1, 1907. That the secretary forthwith serve a certified copy of this resolution on each steam railroad corporation operating within this State.

[Adopted by the Commission November 1, 1907, and issued as Circular No. 28.]

RESOLVED, That all persons, corporations and municipalities engaged in furnishing or distributing gas and furnishing or transmitting electricity for light, heat and power be and hereby are respectively directed to file with the Commission on or before December 28, 1907, a statement (1) showing in detail the prices charged for gas or electricity as of July 1, 1907; (2) containing any and all changes in such prices made since July 1, 1907; and it is further

RESOLVED, That such persons, corporations and municipalities be and hereby are respectively directed to report in detail to the Commission any and all changes in prices charged for gas and electricity when and as hereafter made, and the date the revised rate became effective; and it is further

RESOLVED, That a copy of this resolution be served at once upon each of said persons, corporations or municipalities.

[Adopted by the Commission November 1, 1907, and issued as Circular No. 30.]

APPENDIX H.

Special Permits under Section 29, Public Service Commissions Law.

Approval of Changes in Scheduled Tariffs on Short Notice.

APPENDIX H.

ALBANY, *July 11, 1907.*

SPECIAL PERMISSION ORDER No. 1.

Application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee).

Subject: Rates on brick, carloads, from New Paltz, N. Y., to points on the Erie railroad and New York, Ontario and Western railway.

Upon the application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed July 11, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee) be and is hereby authorized to establish special rates on common brick, carloads, minimum weight forty thousand (40,000) pounds, from New Paltz, N. Y., via Montgomery, N. Y., and the Erie railroad to Monroe, N. Y., of one dollar and ten cents ($1.10) per net ton; to Tuxedo, N. Y., one dollar and twenty-five cents ($1.25) per net ton; and via Campbell Hall and the New York, Ontario & Western railway to Monticello, N. Y., of two dollars and fifteen cents ($2.15) per net ton; provided that tariffs naming said rates shall be filed with this Commission and posted at stations at least one day in advance of the effective date specified in such tariffs. Such tariffs shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 1, of date July 11, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *July 22, 1907.*

SPECIAL PERMISSION ORDER No. 2.

Application of The Delaware and Hudson Company.

Subject: Rate on wood pulp, carloads, minimum weight 30,000 pounds, from Willsboro, N. Y., to Troy, N. Y.

Upon the application of The Delaware and Hudson Company, filed July 22, 1907, and for good cause shown, it is

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish special rate of five cents ($0.05) per one hundred (100) pounds on wood pulp, carloads, minimum weight thirty thousand (30,000) pounds, from Willsboro, N. Y., to Troy, N. Y.; provided that a tariff naming said rate shall be filed with this Commission and posted at stations at least one day in advance of the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 2, of date July 22, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *July 22, 1907.*

SPECIAL PERMISSION ORDER No. 3.

Application of The New York Central and Hudson River Railroad Company.

Subject: Rates on ice, carloads, from Carthage, N. Y., to various N. Y. C. & H. R. R. R. stations named in the application.

Upon application of The New York Central and Hudson River Railroad Company, filed July 22, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates as specified in the application to apply on shipments of ice, carloads, from Carthage, N. Y., to Canastota, N. Y., and various other stations named in application; provided that a tariff naming said rates shall be filed with this Commission and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 3, of date July 22, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *July 23, 1907.*

SPECIAL PERMISSION ORDER No. 4.

Application of the Catskill Mountain Railway.

Subject: Authority to establish special twenty-ride commutation tickets between Catskill, N. Y., and Cairo, N. Y.; also to establish special excursion fares between various stations named in the application.

Upon application of the Catskill Mountain Railway, filed July 23, 1907, and for good cause shown, it is

Ordered: That the Catskill Mountain Railway be and is hereby authorized to establish special rate of fifteen dollars ($15.00) for twenty (20) ride commutation ticket between Catskill, N. Y., and Cairo, N. Y., and good for three (3) months from the date of issue; also to establish rate of seventy-five cents ($0.75) from Catskill village, N. Y., Leeds, N. Y., and South Cairo, N. Y., to Palenville, N. Y., and return; also special excursion rate of twenty-five cents ($0.25) between Catskill village, N. Y., and Otis Junction, N. Y.; provided that tariffs naming said rates shall be filed with this Commission and posted at stations at least one day prior to the effective dates specified in such tariffs. Such tariffs shall be so filed and posted within thirty (30) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 4, of date July 23, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

ALBANY, *July 25, 1907.*

SPECIAL PERMISSION ORDER No. 5.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Brick, carloads; Utica, N. Y., to Oriskany Falls, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed July 25, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish a special rate of seventy-five cents ($0.75) per net ton on common brick, in carloads, from Utica, N. Y., to Oriskany Falls, N. Y.; provided that a tariff naming said rate shall be filed with the

Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 5, of date July 25, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *July 25, 1907.*

SPECIAL PERMISSION ORDER No. 6.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Pick-up refrigerator car service, including refrigeration; butter, cheese, eggs, and other perishable freight; Canastota and other stations, N. Y., to St. John's Park, New York, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed July 25, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special pick-up refrigerator car service on butter, cheese, eggs, and other perishable freight, including refrigeration, without charge in addition to the current transportation rate, to be run each Saturday for such traffic shipped from Minoa, Kirkville, Chittenango, Canastota, Oneida, Rome, Utica, and Little Falls, N. Y., to St. John's Park, New York, N. Y.; provided that a tariff naming such rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 6, of date July 25, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *July 25, 1907.*

SPECIAL PERMISSION ORDER No. 7.

Order on application of The New York Central and Hudson River Railroad Company (West Shore railroad).

Subject: Pick-up refrigerator car service, including refrigeration; butter, cheese, eggs, and other perishable freight; Earlville and other stations, N. Y., to Franklin Street station, New York, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company (West Shore railroad), filed July 25, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company (West Shore railroad) be and is hereby authorized to establish a special pick-up refrigerator car service on butter, cheese, eggs, and other perishable freight, including refrigeration, without charge in addition to the current transportation rate, to be run each Monday for such traffic shipped from Earlville, Lebanon, Georgetown, Ballina, and Oran, N. Y., to Franklin Street station, New York, N. Y.; provided that a tariff naming such rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under especial permission of the Public Service Commission, Second District, State of New York, No. 7, of date July 25, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *July 31, 1907.*

SPECIAL PERMISSION ORDER No. 8.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Scrap iron, carloads; Utica, N. Y., to Munns, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed July 31, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish a special rate of ninety-five cents ($0.95) per gross ton on scrap iron, in carloads, from Utica, N. Y., to Munns, N. Y.: provided that a tariff naming said rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thiry days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 8, of date July 31, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *July 31, 1907.*

SPECIAL PERMISSION ORDER No. 9.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Sand, carloads; Forestport, N. Y., to Hinckley, N. Y.; minimum weight marked capacity of car, but not less than 40,000 pounds.

Upon the application of The New York Central and Hudson River Railroad Company, filed July 31, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of twenty-five cents ($0.25) per net ton on sand, in carloads, minimum weight marked capacity of car but not less than 40,000 pounds, from Forestport, N. Y., to Hinckley, N. Y.; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 9, of date July 31, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *July 31, 1907.*

SPECIAL PERMISSION ORDER No. 10.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Cattle, carloads; Oneida, N. Y., to Pierrepont Manor, N. Y.; minimum weight as per official classification.

Upon the application of The New York Central and Hudson River Railroad Company, filed July 31, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of fourteen cents ($0.14) per one hundred (100) pounds on cattle, in carloads, minimum weight as per official classification, from Oneida, N. Y., to Pierrepont Manor, N. Y.: provided that a tariff naming said rate shall be filed with the Commission and published at stations at least one day prior to the effective date speci-

fied in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 10, of date July 31, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *July 31, 1907.*

SPECIAL PERMISSION ORDER NO. 11.

Order on application of the Rutland Railroad Company.

Subject: Iron pyrites, carloads; Ogdensburg, N. Y., to Richville, N. Y.

Upon the application of the Rutland Railroad Company, filed July 31, 1907, and for good cause shown, it is

Ordered: That the Rutland Railroad Company be and is hereby authorized to establish a special rate of sixty cents ($0.60) per gross ton on iron pyrites, in carloads, from Ogdensburg, N. Y., to Richville, N. Y.; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least one day prior to the effective date specified in such tariff. Such rate can only be cancelled upon statutory notice. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 11, of date July 31, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 1, 1907.*

SPECIAL PERMISSION ORDER NO. 12.

Order on application of the Elmira, Corning and Waverly Railway.

Subject: Passenger fare between Waverly, N. Y., and Chemung, N. Y., and intermediate stations.

Upon the application of the Elmira, Corning and Waverly Railway, filed July 31, 1907, and for good cause shown, it is

Ordered: That the Elmira, Corning and Waverly Railway be and it is hereby authorized to establish a special rate of ten cents ($0.10), with a minimum rate of five cents ($0.05), for the transportation of passengers between Waverly, N. Y., and Chemung, N. Y., and intermediate stations; provided that a tariff naming said rates shall be filed with the Commission and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 12, of date August 1, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 2, 1907.*

SPECIAL PERMISSION ORDER NO. 12-*a*

Order on application of the Delaware and Eastern Railroad Company.

Subject: Special excursions to Margaretville, N. Y., account Catskill Mountain Agricultural Society Fair, to be held August 20, 21, 22, and 23, 1907, from points named below.

Upon the application of the Delaware and Eastern Railroad Company, filed August 2, 1907, and for good cause shown, it is

Ordered: That the Delaware and Eastern Railroad Company be and is hereby authorized to establish special rates for special excursions to Margaret-

ville, N. Y., on account of Catskill Mountain Agricultural Society Fair, to be held August 20, 21, 22, and 23, 1907, from the following points at the rates named:

Arkville	$0 10	Campbell Brook	$1 20
Dunraven	15	Gregorytown	1 30
Arena	30	Shinhopple	1 40
Union Grove	50	Harvard	1 70
Shavertown	70	East Branch	1 75
Pepacton	90	Pleasant Valley	70
Downsville	1 00	Kaufmans	85
Colchester	1 10	Andes	95

Tickets good for return on or before August 23, 1907; tickets for Fair may be sold at a rate of twenty-five cents ($0.25) in addition to fare to Margaretville, N. Y., and return; provided that a tariff naming said rates shall be filed with the Commission and published five days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 12-*a*, of date August 2, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 1, 1907.*

SPECIAL PERMISSION ORDER NO. 13.

Order on application of the Norwood and St. Lawrence Railroad Company, concurred in by The New York Central and Hudson River Railroad Company.

Subject: Screenings (wood pulp refuse), carloads, minimum weight 50,000 pounds; Norfolk, N. Y., to Watertown, N. Y.

Upon the application of the Norwood and St. Lawrence Railroad Company, concurred in by The New York Central and Hudson River Railroad Company, filed August 1, 1907, and for good cause shown, it is

Ordered: That the Norwood and St. Lawrence Railroad Company be and is hereby authorized to establish a special rate of four and one-half cents ($0.045) per one hundred (100) pounds on screenings (wood pulp refuse), in carloads, minimum weight fifty thousand (50,000) pounds, from Norfolk, N. Y., to Watertown, N. Y., via Norwood, N. Y., in connection with The New York Central and Hudson River Railroad Company, that company concurring; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 13, of date August 1, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 5, 1907.*

SPECIAL PERMISSION ORDER NO. 13-*a*.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Pulp wood, carloads, minimum weight the marked capacity of the car; Oswego, N. Y., to Fulton, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed August 5, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish a special rate of six dollars ($6.00) per car on pulp wood, minimum weight the marked capacity of the car, from Oswego, N. Y., to Fulton, N. Y.; provided that a tariff naming said

rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 13-*a*, of date August 5, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 5, 1907.*

SPECIAL PERMISSION ORDER No. 14.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Iron pyrites, carloads, minimum weight marked capacity of car but not less than twenty gross tons; from Richville, N. Y., and DeKalb Junction, N. Y., to Ogdensburg, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed August 3, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of forty cents ($.40) per gross ton on iron pyrites, in carloads, minimum weight marked capacity of car but not less than twenty gross tons, from Richville, N. Y., and DeKalb Junction, N. Y., to Ogdensburg, N. Y.; superseding and canceling New York Central and Hudson River Railroad Company Tariff No. A-7070; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such rate can only be canceled upon statutory notice or special order of the Commission. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 14, of date August 5, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 5, 1907.*

SPECIAL PERMISSION ORDER No. 15.

Order on application of The Long Island Railroad Company.

Subject: Special excursion to Rockaway Beach, N. Y., from points named below.

Upon the application of The Long Island Railroad Company, filed August 2, 1907, and for good cause shown, it is

Ordered: That The Long Island Railroad Company be and is hereby authorized to establish special rates for a special excursion to Rockaway Beach, N. Y., from the following points at the rates named subject to rules of The Long Island Railroad Company governing half-fare rates:

Port Jefferson, N. Y.	$0 70	Locust Valley, N. Y.	$0 50
Setauket, N. Y.	70	Nassau, N. Y.	50
Stony Brook, N. Y.	70	Glen Cove, N. Y.	50
St. James, N. Y.	70	Sea Cliff, N. Y.	50
Smithtown, N. Y.	60	Glen Head, N. Y.	50
Kings Park, N. Y.	60	Greenvale, N. Y.	50
Northport, N. Y.	60	North Roslyn, N. Y.	50
Greenlawn, N. Y.	60	Roslyn, N. Y.	50
Huntington, N. Y.	50	Albertson, N. Y.	50
Cold Spring, N. Y.	50	E. Williston, N. Y.	50
Syosset, N. Y.	50	Greenport, N. Y.	1 00
Hicksville, N. Y.	50	Southold, N. Y.	1 00
Westbury, N. Y.	50	Peconic, N. Y.	1 00
Mineola, N. Y.	50	Cutchogue, N. Y.	1 00
Oyster Bay, N. Y.	60	Mattituck, N. Y.	1 00
Mill Neck, N. Y.	60	Laurel, N. Y.	1 00

Jamesport, N. Y.	1 00	Ronkonkoma, N. Y.	$0 65
Aquebogue, N. Y.	1 00	Central Islip, N. Y.	65
Riverhead, N. Y.	1 00	Brentwood, N. Y.	65
Calverton, N. Y.	1 00	Deer Park, N. Y.	65
Manor, N. Y.	80	Wyandanch, N. Y.	65
Yaphank, N. Y.	80	Pinelawn, N. Y.	65
Medford, N. Y.	75	Farmingdale, N. Y.	60
Holtsville, N. Y.	70	Central Park, N. Y.	60

Provided that a tariff naming said rates shall be filed with the Commission and published one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 15, of date August 5, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 7, 1907.*

SPECIAL PERMISSION ORDER No. 16.

Order on application of the Delaware and Eastern Railroad Company.

Subject: Milk in forty-quart cans; rates to apply between points shown below.

Upon the application of the Delaware and Eastern Railroad Company, filed August 6, 1907, and for good cause shown, it is

Ordered: That the Delaware and Eastern Railroad Company be and is hereby authorized to establish special rates to apply on fluid milk, in forty-quart cans, on distance basis, viz.:

In cents, per forty-quart cans, including free return of cans:

5 miles or under	$0 05	16 to 25 miles, inclusive	$0 08
6 to 10 miles, inclusive	06	26 to 35 miles, inclusive	09
11 to 15 miles, inclusive	07	36 to 45 miles, inclusive	10

To apply between points shown below:

Main line.	*Andes branch.*	
0 East Branch	20 Pepacton	38 Arkville
3 Harvard	24 Shavertown	30 Pleasant Valley
9 Shinhopple	26 Andes Junction	31 Liddle's Station
10 Gregorytown	27 Union Grove	32 Kaufmans
12 Campbell Brook	31 Arena	35 Andes
13 Colchester	34 Dunraven	
14 Downsville	36 Margaretville	
15 Scoville		

The figures at the left of stations indicate the station distance from East Branch, N. Y., and constitute the distance mileage to be used in computing charges on shipments made under this order; provided that a tariff naming said rates shall be filed with the Commission and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 16, of date August 7, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 7, 1907.*

SPECIAL PERMISSION ORDER No. 17.

Order on application of the Rutland Railroad Company, concurred in by The New York Central and Hudson River Railroad Company.

Subject: Pulp wood, carloads, minimum weight twelve (12) cords; Rouses Point, N. Y., to Potsdam, N. Y., via Norwood, N. Y.

Upon the application of the Rutland Railroad Company, concurred in by The New York Central and Hudson River Railroad Company, filed August 7, 1907, and for good cause shown, it is

Ordered: That the Rutland Railroad Company be and is hereby authorized to establish a special rate of one dollar and seventy-five cents ($1.75) per cord upon pulp wood, carloads, twelve (12) cords minimum, from Rouses Point, N. Y., to Potsdam, N. Y., via Norwood, N. Y., in connection with The New York Central and Hudson River Railroad Company, that company concurring; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 17, of date August 7, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 7, 1907*

SPECIAL PERMISSION ORDER No. 18.

Order on application of The Long Island Railroad Company.

Subject: Special excursion to Manhattan Beach, N. Y., from points named below.

Upon the application of The Long Island Railroad Company, filed August 7, 1907, and for good cause shown, it is

Ordered: That The Long Island Railroad Company be and is hereby authorized to establish special rates for a special excursion to Manhattan Beach, N. Y., from the following points at the rates named subject to rules of The Long Island Railroad Company governing half-fare rates:

Sag Harbor, N. Y.	$1 25	Bayport, N. Y.	$0 90
Amagansett, N. Y.	1 25	Sayville, N. Y.	90
Easthampton, N. Y.	1 25	Oakdale, N. Y.	90
Wainscott, N. Y.	1 25	Great River, N. Y.	90
Bridgehampton, N. Y.	1 25	Islip, N. Y.	85
Watermill, N. Y.	1 25	Bayshore, N. Y.	85
Southampton, N. Y.	1 25	Babylon, N. Y.	85
Shinnecock Hills, N. Y.	1 25	Lindenhurst, N. Y.	80
Good Ground, N. Y.	1 15	Copiague, N. Y.	80
Quogue, N. Y.	1 10	Amityville, N. Y.	80
Westhampton, N. Y.	1 10	Massapequa, N. Y.	80
Speonk, N. Y.	1 00	Seaford, N. Y.	75
Eastport, N. Y.	1 00	Wantagh, N. Y.	75
East Moriches, N. Y.	1 00	Bellmore, N. Y.	70
Center Moriches, N. Y.	1 00	Merrick, N. Y.	70
Mastic, N. Y.	1 00	Freeport, N. Y.	60
Brookhaven, N. Y.	1 00	Baldwin, N. Y.	60
Bellport, N. Y.	1 00	Rockville Center, N. Y.	60
Patchogue, N. Y.	1 00	Lynbrook, N. Y.	60
Blue Point, N. Y.	1 00		

Provided that a tariff naming said rates shall be filed with the Commission and published three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 18, of date August 7, 1907."

By the Commission: (Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 7, 1907.*

SPECIAL PERMISSION ORDER No. 19.

Order on application of The Long Island Railroad Company.

Subject: Horses, return of to original point of shipment from Bayshore Horse Show.

Upon the application of The Long Island Railroad Company, filed August 7, 1907, and for good cause shown, it is

Ordered: That The Long Island Railroad Company be and is hereby authorized to return free of charge to original point of shipment on the

Long Island railroad from Bayshore, N. Y., horses which have been transported at regularly established rates for exhibition at the Bayshore Horse Show, upon certificate from the Bayshore Horse Show Association that said horses have been so exhibited; provided that a tariff so stating shall be filed with the Commission and published one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 19, of date August 7, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 9, 1907.*

SPECIAL PERMISSION ORDER NO. 20.

Order on application of The Long Island Railroad Company.

Subject: Special excursion to Manhattan Beach, N. Y., from points named below.

Upon the application of The Long Island Railroad Company, filed August 9, 1907, and for good cause shown, it is

Ordered: That The Long Island Railroad Company be and is hereby authorized to establish special rates for a special excursion to Manhattan Beach, N. Y., from the following points at the rates named subject to rules of The Long Island Railroad Company governing half-fare rates:

Greenport, N. Y.	$1 25	Wyandanch, N. Y.	$0 85
Southold, N. Y.	1 25	Pinelawn, N. Y.	85
Peconic, N. Y.	1 25	Farmingdale, N. Y.	75
Cutchogue, N. Y.	1 25	Central Park, N. Y.	75
Mattituck, N. Y.	1 25	Hicksville, N. Y.	75
Laurel, N. Y.	1 25	Westbury, N. Y.	75
Jamesport, N. Y.	1 25	Mineola, N. Y.	75
Aquebogue, N. Y.	1 25	Port Jefferson, N. Y.	1 00
Riverhead, N. Y.	1 25	Setauket, N. Y.	1 00
Calverton, N. Y.	1 25	Stony Brook, N. Y.	95
Manorville, N. Y.	1 25	St. James, N. Y.	95
Yaphank, N. Y.	1 25	Smithtown, N. Y.	95
Medford, N. Y.	1 15	Kings Park, N. Y.	95
Holtsville, N. Y.	1 15	Northport (E. Sta.), N. Y.	85
Ronkonkoma, N. Y.	95	Greenlawn, N. Y.	85
Central Islip, N. Y.	95	Huntington, N. Y.	85
Brentwood, N. Y.	95	Cold Spring, N. Y.	85
Deer Park, N. Y.	95	Syosset, N. Y.	75

Provided that a tariff naming said rates shall be filed with the Commission and published three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 20, of date August 9, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 14, 1907.*

SPECIAL PERMISSION ORDER NO. 21.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Liquid milk in forty-quart cans; Stittville, N. Y., to Lowville, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed August 14, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of twenty-three

cents ($0.23) per can on liquid milk in forty-quart cans from Stittville, N. Y., to Lowville, N. Y.; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 21, of date August 14, 1907."

By the Commission: (Signed) J. S. KENNEDY,
[SEAL] *Secretary.*

ALBANY, *August 19, 1907.*

SPECIAL PERMISSION ORDER NO. 22.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Cinders, carloads, minimum weight marked capacity of car but not less than 25 tons; Norwood, N. Y., and Gouverneur, N. Y., to Canton, N. Y.; and Philadelphia, N. Y., to Canton, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed August 16, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates per net ton on cinders, carloads, minimum weight marked capacity of car but not less than twenty-five (25) tons, as follows:

From Norwood, N. Y., to Canton, N. Y., forty cents ($0.40);
From Gouverneur, N. Y., to Canton, N. Y., forty cents ($0.40);
From Philadelphia, N. Y., to Canton, N. Y., sixty cents ($0.60);

Provided that a tariff naming said rates shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 22, of date August 19, 1907."

By the Commission:
(Signed) J. S. KENNEDY,
[SEAL] *Secretary.*

ALBANY, *August 19, 1907.*

SPECIAL PERMISSION ORDER NO. 23.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Crushed stone, carloads, minimum weight marked capacity of car but not less than twenty-five net tons; Gouverneur, N. Y., to Newton Falls, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed August 16, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of eighty cents ($0.80) per net ton on crushed stone, carloads, minimum weight marked capacity of car but not less than twenty-five (25) net tons, from Gouverneur, N. Y., to Newton Falls, N. Y.; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 23, of date August 19, 1907."

By the Commission: (Signed) J. S. KENNEDY,
[SEAL] *Secretary.*

ALBANY, *August 19, 1907.*

SPECIAL PERMISSION ORDER No. 24.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Crushed stone, carloads, minimum weight 90 per cent. marked capacity of car but not less than twenty net tons; South Bethlehem, N. Y., to Hudson, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed August 16, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of one dollar ($1.00) per net ton on crushed stone, carloads, minimum weight ninety (90) per cent. marked capacity of car but not less than twenty (20) net tons, from South Bethlehem, N. Y., to Hudson, N. Y.; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 24, of date August 19, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 19, 1907.*

SPECIAL PERMISSION ORDER No. 25.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Crushed stone, carloads, minimum weight 40,000 pounds; LeRoy, N. Y., to Hamlin, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed August 16, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of one dollar and ten cents ($1.10) per net ton on crushed stone, carloads, minimum weight forty thousand (40,000) pounds, from LeRoy, N. Y., to Hamlin, N. Y.; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 25, of date August 19, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 19, 1907.*

SPECIAL PERMISSION ORDER No. 26.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Pulp wood, carloads, minimum weight 50,000 pounds; Canton, N. Y., to Carthage, N. Y., Dexter, N. Y., and Potsdam, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed August 16, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates per one hundred

(100) pounds on pulp wood, carloads, minimum weight fifty thousand (50,000) pounds, as follows:

	Rates in cents per 100 pounds
From Canton, N. Y., to	
Carthage, N. Y.	3½
Dexter, N. Y.	3½
Potsdam, N. Y.	2

As shown in New York Central and Hudson River Railroad Tariff No. A-7200; provided that a tariff naming said rates shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 26, of date August 19, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 19, 1907.*

SPECIAL PERMISSION ORDER No. 27.

Upon the application of The New York Central and Hudson River Railroad Company.

Subject: Wood pulp, carloads, minimum weight 40,000 pounds.

Upon the application of The New York Central and Hudson River Railroad Company, filed August 14, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with The Delaware and Hudson Company, be and is hereby authorized to establish joint special rates on wood pulp per one hundred (100) pounds, carloads, minimum weight forty thousand (40,000) pounds, as follows:

From		*From*	
Brownville, N. Y.	Group 1	Lyons Falls, N. Y.	Group 2
Canton, N. Y.	Group 1	Port Leyden, N. Y.	Group 2
Carthage, N. Y.	Group 1	Potsdam, N. Y.	Group 1
Dexter, N. Y.	Group 1	Watertown, N. Y.	Group 1

To	Rates in cents per 100 pounds Group 1	Group 2	*To*	Rates in cents per 100 pounds Group 1	Group 2
Ballston, N. Y.	12	11	Hadley, N. Y.	13	12
Corinth, N. Y.	13	12	Sandy Hill, N. Y.	13	12
Fort Edward, N. Y.	13	12	Warrensburg, N. Y.	13	12
Glens Falls, N. Y.	13	12	Route — via Schenectady, N. Y.		

Provided that a tariff naming said rates shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 27, of date August 19, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 20, 1907.*

SPECIAL PERMISSION ORDER No. 28.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Corn (green) in bulk, carloads; minimum weight 30,000 pounds; Munns, N. Y., to Oneida, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed August 20, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish a special rate of fifty cents ($0.50) per net ton on green corn, in carloads, minimum weight thirty thousand (30,000) pounds, from Munns, N. Y., to Oneida, N. Y.; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 28, of date August 20, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 22, 1907.*

SPECIAL PERMISSION ORDER No. 29.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Pulp wood, carloads, minimum weight 40,000 pounds; Carthage, N. Y., to Felts Mills, N. Y., and Great Bend, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed August 21, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of thirty cents ($0.30) per net ton on pulp wood, in carloads, minimum weight forty thousand (40,000) pounds, from Carthage, N. Y., to Felts Mills, N. Y., and Great Bend, N. Y.; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 29, of date August 22, 1907."

By the Commission: (Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 23, 1907.*

SPECIAL PERMISSION ORDER No. 30.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Apples and pears in carloads, minimum weight as per official classification, and plums and peaches in less than carload lots; from points on R., W. & O. division, Model City, N. Y., to Oswego, N. Y., inclusive, to Rochester, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company filed August 22, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special commodity rates on apples and pears in carloads, minimum weight as per official classification,

and on plums and peaches in less than carload lots, to Rochester, N. Y., from the points and at the rates named below:

From.	*To Rochester.* In cents per 100 pounds.		
	On Apples and Pears. C. L.	On Plums. L. C. L.	On Peaches. L. C. L.
Model City, N. Y., to Barker, N. Y., inc.	5	18	21
Millers, N. Y., to Carlton, N. Y., inc.	5	17	25½
Waterport, N. Y., to Kent, N. Y., inc.	5	16	24
Kendall, N. Y., and Morton, N. Y.	5	15	22½
Hamlin, N. Y.	4½	14	21
East Hamlin, N. Y.	4	14	21
Hilton, N. Y., to Webster, N. Y., inc.	4	13	19½
Union Hill, N. Y.	4	15	22½
Lakeside, N. Y., and Ontario, N. Y.	4½	16	24
Williamson, N. Y.	5	16	24
Sodus, N. Y.	5	17	25½
Wallington, N. Y.	5	18	27
Alton, N. Y.	5	20	30
Rose, N. Y., and Wolcott, N. Y.	5½	20	30
Red Creek, N. Y., to Wheelers, N. Y., inc.	6	20	30
Furniss, N. Y., and Oswego, N. Y.	6½	20	30

Provided that a tariff naming said rates shall specify each and every station from which they apply, shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 30, of date August 23, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 26, 1907.*

SPECIAL PERMISSION ORDER No. 31.

Order on application of the Erie Railroad Company.

Subject: Ice, carloads, minimum weight twenty tons; from Cameron Mills, N. Y., to Tioga Center, N. Y.

Upon the application of the Erie Railroad Company, filed August 24, 1907, and for good cause shown, it is

Ordered: That the Erie Railroad Company be and is hereby authorized to establish a special rate of fifty cents ($0.50) per net ton on ice, in carloads, minimum weight twenty (20) tons, from Cameron Mills, N. Y., to Tioga Center, N. Y.; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 31, of date August 26, 1907."

By the Commission: (Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 26, 1907.*

SPECIAL PERMISSION ORDER No. 32.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Fluid milk, less carloads, in forty-quart cans; from New Haven, N. Y., Mexico, N. Y., Daysville, N. Y., Scriba, N. Y., Fernwood, N. Y., and Maple View, N. Y., to Pulaski, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed August 24, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of ten cents ($0.10) per can of forty (40) quarts, on fluid milk, less than carloads, from New Haven, N. Y., Mexico, N. Y., Daysville, N. Y., Scriba, N. Y., Fernwood, N. Y., and Maple View, N. Y., to Pulaski, N. Y.; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 32, of date August 26, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 27, 1907.*

SPECIAL PERMISSION ORDER No. 33.

Order on application of The New York Central and Hudson River Railroad Company (West Shore railroad), in connection with the New York, Ontario and Western railway.

Subject: Crushed stone, carloads, minimum marked capacity of car but not less than 40,000 pounds; from Little Falls, N. Y., on the West Shore railroad, to Kirkland, N. Y., via Clarks Mills, N. Y., and the New York, Ontario and Western railway; and from Little Falls, N. Y., West Shore railroad, to New Hartford, N. Y., via New York Mills, N. Y., and the New York, Ontario and Western railway.

Upon the application of The New York Central and Hudson River Railroad Company (West Shore railroad), filed August 27, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the New York, Ontario and Western railway, be and is hereby authorized to establish a special rate of eighty cents ($0.80) per net ton on crushed stone, carloads, minimum marked capacity of car but not less than forty thousand (40,000) pounds, from Little Falls, N. Y., on the West Shore railroad, to Kirkland, N. Y., via Clarks Mills, N. Y., and the New York, Ontario and Western railway, and from Little Falls, N. Y., (West Shore railroad) to New Hartford, N. Y., via New York Mills, N. Y., and the New York, Ontario and Western railway; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 33, of date August 27, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 28, 1907.*

SPECIAL PERMISSION ORDER No. 34.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Flag, curb, and building stone, carloads, minimum weight 40,000 pounds, from Norwich, N. Y., to West Point, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed August 28, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish a special rate of one dollar and ninety-

five cents ($1.95) per net ton on flag, curb, and building stone, in carloads, minimum weight forty thousand (40,000) pounds, from Norwich, N. Y., to West Point, N. Y.; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 34, of date August 28. 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 30, 1907.*

SPECIAL PERMISSION ORDER No. 35.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The New York Central and Hudson River Railroad Company.

Subject: Crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 pounds; from Little Falls, N. Y., (West Shore R. R.) to Herkimer, N. Y., Ilion, N. Y., and Frankfort, N. Y. (New York Central & Hudson River R. R.).

Upon the application of the West Shore railroad (New York Central and Hudson River Railroad Company, lessee), filed August 30, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish a special rate of fifty cents ($0.50) per net ton on crushed stone, in carloads, minimum weight marked capacity of car but not less than forty thousand (40,000) pounds, from Little Falls, N. Y., (West Shore R. R.) to Herkimer, N. Y., Ilion, N. Y., and Frankfort, N. Y., (New York Central and Hudson River R. R.); provided that a tariff naming said rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 35, of date August 30, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *August 30, 1907.*

SPECIAL PERMISSION ORDER No. 36.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Cheese, in boxes, any quantity; from Oakvale, N. Y., Lafargeville, N. Y., Clayton, N. Y., and Three Mile Bay, N. Y., to Redwood, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed August 30, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates on cheese, in boxes, in any quantity, to Redwood, N. Y., from the following points at the rates named:

	Per 100 pounds.
Oakvale, N. Y.	$0 05
Lafargeville, N. Y.	08
Clayton, N. Y.	08
Three Mile Bay, N. Y.	10

Provided that a tariff naming said rates shall be filed with the Commission and published three days prior to the effective date specified in such tariff.

Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 36, of date August 30, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *September 5, 1907.*

SPECIAL PERMISSION ORDER No. 37.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Permission to change minimum weight on carload shipments of petroleum and its products from 30,000 pounds to 26,000 pounds, as per Supplement No. 2, effective September 14, 1907, to Official Classification No. 30.

Upon the application of The New York Central and Hudson River Railroad Company, filed September 5, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish, for general application to existing tariffs or such other tariffs as it may desire to make, effective on September 14, 1907, applying on petroleum and its products, carloads, a minimum weight of twenty-six thousand (26,000) pounds, as provided in Supplement No. 2, effective September 14, 1907, to Official Classification No. 30; provided that a tariff or tariffs naming such rate or rates shall be filed with the Commission and published at stations at least three days prior to September 14, 1907. Such tariff or tariffs shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 37, of date September 5, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *September 5, 1907.*

SPECIAL PERMISSION ORDER No. 38.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee).

Subject: Permission to change minimum weight on carload shipments of petroleum and its products from 30,000 pounds to 26,000 pounds, as per Supplement No. 2, effective September 14, 1907, to Official Classification No. 30.

Upon the application of the West Shore railroad (New York Central and Hudson River Railroad Company, lessee), filed September 5, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad be and is hereby authorized to establish, for general application to existing tariffs or such other tariffs as it may desire to make, effective on September 14, 1907, applying on petroleum and it products, carloads, a minimum weight of twenty-six thousand (26,000) pounds, as provided in Supplement No. 2, effective September 14, 1907, to Official Classification No 30; provided that a tariff or tariffs naming such rate or rates shall be filed with the Commission and published at stations at least three days prior to September 14, 1907. Such tariff or tariffs shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 38, of date September 5, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *September 6, 1907.*

SPECIAL PERMISSION ORDER No 39.

Order on application of the Elmira, Corning and Waverly Railway.

Subject: Passenger fare between Chemung, N. Y., and Wellsburg, N. Y., and intermediate stations.

Upon the application of the Elmira, Corning and Waverly Railway, filed September 6, 1907, and for good cause shown, it is

Ordered: That the Elmira, Corning and Waverly Railway be and it is hereby authorized to establish a special rate of ten cents ($0.10) with a minimum rate of five cents ($0.05), for the transportation of passengers between Chemung, N. Y., and Wellsburg, N. Y., and intermediate stations; provided that a tariff naming said rates shall be filed with the Commission and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 39, of date September 6, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *September 9, 1907.*

SPECIAL PERMISSION ORDER No. 40.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The New York Central and Hudson River Railroad Company.

Subject: Crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 pounds; from Amsterdam, N. Y., (West Shore R. R.) to Akin, N. Y., (N. Y. C. & H. R. R. R.).

Upon the application of the West Shore railroad (New York Central and Hudson River Railroad Company, lessee), filed September 7, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish a special rate of fifty cents ($0.50) per net ton on crushed stone, in carloads, minimum weight marked capacity of car but not less than forty thousand (40,000) pounds, from Amsterdam, N. Y., (West Shore R. R.) to Akin, N. Y. (N. Y. C. & H. R. R. R.); provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 14, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 40, of date September 9, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *September 9, 1907.*

SPECIAL PERMISSION ORDER No. 41.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Lumber, lath, and shingles, carloads, minimum as per official classification; from Malone, N. Y., to Cape Vincent, N. Y., and from Tupper Lake Junction, N. Y., to Cape Vincent, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed September 7, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates per one hundred (100) pounds on lumber, lath, and shingles, carloads, minimum weight as per official classification, from and to the points and at the special rates named, as follows:

	Per 100 lbs.
From Malone, N. Y., to Cape Vincent, N. Y.	$0 09
From Tupper Lake Junction, N. Y., to Cape Vincent, N. Y.	08

Provided that a tariff naming said rates shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 41, of date September 9, 1907."

By the Commission:

(Signed) J. S. KENNNEDY,
Secretary.

[SEAL]

ALBANY, *September 9, 1907.*

SPECIAL PERMISSION ORDER No. 42.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Iron ore, carloads, minimum weight marked capacity of car but not less than 20 gross tons; from Ontario, N. Y., to Ogdensburg, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed September 9, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of one dollar ($1.00) per gross ton on iron ore, in carloads, minimum weight marked capacity of car but not less than twenty (20) gross tons, from Ontario, N. Y., to Ogdensburg, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 77, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 42, of date September 9, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *September 12, 1907.*

SPECIAL PERMISSION ORDER No. 43.

Order on application of the New York, Ontario and Western Railway Company, in connection with The Delaware, Lackawanna and Western Railroad Company.

Subject: Lumber, carloads, minimum weight 40,000 pounds; from South New Berlin, N. Y., to Binghamton, N. Y., via Norwich, N. Y., and D., L. & W. R. R.; at rate of $1.25 per 2,000 pounds.

Upon the application of the New York, Ontario and Western Railway Company, filed September 11, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company, in connection with The Delaware, Lackawanna and Western Railroad Company, be and is hereby authorized to establish a special rate of one dollar and twenty-five cents ($1.25) per two thousand (2,000) pounds on lumber, in carloads, minimum weight forty thousand (40,000) pounds, from South New Berlin, N. Y., to Binghamton, N. Y., via Norwich, N. Y., and Delaware,

Lackawanna and Western railroad; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 249, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 43, of date September 12, 1907."

By the Commission:

(Signed) J. S. KENNNEDY,
Secretary.

[SEAL]

ALBANY, *September 16, 1907.*

SPECIAL PERMISSION ORDER NO. 44.

Order on application of The New York Central and Hudson River Railroad Company, in connection with the Norwood and St. Lawrence Railroad Company.

Subject: Wood pulp, carloads, minimum weight 40,000 pounds; from Lyons Falls, N. Y., to Norfolk, N. Y., and Raymondville, N. Y., via Norwood, N. Y., and Norwood and St. Lawrence railroad; at rate of $0.065 per 100 pounds.

Upon the application of The New York Central and Hudson River Railroad Company, filed September 16, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Norwood and St. Lawrence Railroad Company, be and is hereby authorized to establish a special rate of six and five-tenths cents ($0.065) per one hundred (100) pounds on wood pulp, in carloads, minimum weight forty thousand (40,000) pounds, from Lyons Falls, N. Y., to Norfolk, N. Y., and Raymondville, N. Y., via Norwood, N. Y., and Norwood and St. Lawrence railroad; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 93, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 44, of date September 16, 1907."

By the Commission:

(Signed) J. S. KENNNEDY,
Secretary.

[SEAL]

ALBANY, *September 18, 1907.*

SPECIAL PERMISSION ORDER NO. 45.

Order on application of The Delaware, Lackawanna and Western Railroad Company, in connection with The New York Central and Hudson River Railroad Company, and West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee).

Subject: Crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 pounds; from Jamesville, N. Y., to various points named in order below.

Upon the application of The Delaware, Lackawanna and Western Railroad Company, filed September 18, 1907, and for good cause shown, it is

Ordered: That The Delaware, Lackawanna and Western Railroad Company, in connection with The New York Central and Hudson River Railroad Company and the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), be and is hereby authorized to establish special rates on crushed stone, in carloads, minimum weight marked capacity of car but not less than forty thousand (40,000) pounds, from Jamesville, N. Y., via Syracuse, N. Y., to the following points and at the rates named, viz:

To Fairmount, N. Y., Camillus, N. Y., Warners, N. Y., East Syracuse, N. Y., Minoa, N. Y., Kirkville, N. Y., De Sono, N. Y., Fayetteville, N. Y., Liverpool, N. Y., Woodard, N. Y., and Manlius, N. Y., fifty-five cents ($0.55) per two thousand (2,000) pounds.

To Marcellus, N. Y., Half-Way, N. Y., Skaneateles Junction, N. Y., Memphis, N. Y., Jordan, N. Y., Clay, N. Y., and Brewerton, N. Y., sixty cents ($0.60) per two thousand (2,000) pounds;

To Ph ix, N. Y., Oran, N. Y., sixty-five cents ($0.65) per two thousand (2,000) pounds;

Provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 84, and published at stations at least two days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York No. 45, of date September 18, 1907."

By the Commission:

(Signed) J. S. KENNNEDY,
Secretary.

[SEAL]

ALBANY, *September 20, 1907.*

SPECIAL PERMISSION ORDER No. 46.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Gravel, carloads, minimum weight 20 net tons; Brownville, N. Y., to Carthage, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed September 19, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of fifty cents ($0.50) per net ton on gravel, in carloads, minimum weight twenty (20) net tons, from Brownville, N. Y., to Carthage, N. Y.; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 46, of date September 20, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *September 26, 1907.*

SPECIAL PERMISSION ORDER No. 47.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Building stone, carloads, minimum weight 40,000 pounds; Potsdam, N. Y., to Canton, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed September 26, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of sixty cents ($0.60) per net ton on building stone, carloads, minimum weight forty thousand (40,000) pounds, from Potsdam, N. Y., to Canton, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 822, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 47, of date September 26, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *September 26, 1907.*

SPECIAL PERMISSION ORDER No. 48.

Order on application of the Erie Railroad Company.

Subject: Ice, carloads, minimum weight 20 net tons; Cameron Mills, N. Y., to Hale's Eddy, N. Y.

Upon the application of the Erie Railroad Company, filed September 26, 1907, and for good cause shown, it is

Ordered: That the Erie Railroad Company be and is hereby authorized to establish a special rate of fifty cents ($0.50) per net ton on ice, carloads, minimum weight twenty (20) net tons, from Cameron Mills, N. Y., to Hale's Eddy, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 462, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 48, of date September 26, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *September 27, 1907.*

SPECIAL PERMISSION ORDER No. 49.

Order on application of The Delaware and Hudson Company.

Subject: Crushed stone, carloads, from Cobleskill, N. Y., and Schoharie Jct., N. Y., to various points as named in order below.

Upon the application of The Delaware and Hudson Company, filed September 25, 1907, and for good cause shown, it is

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish the following special rates on crushed stone, carloads:

From	*To*	*Rate*
Cobleskill, N. Y.	Schenectady, N. Y.	30 cents per net ton
	Schenevus, N. Y.	35 cents per net ton
	Maryland, N. Y.	35 cents per net ton
	Colliers, N. Y.	35 cents per net ton
	Binghamton, N. Y.	45 cents per net ton
Schoharie Junction, N. Y.	Binghamton, N. Y.	45 cents per net ton
	Albany, N. Y.	30 cents per net ton
	Schenectady, N. Y.	30 cents per net ton
	Troy, N. Y.	35 cents per net ton

Provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 1088, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 49, of date September 27, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 1, 1907.*

SPECIAL PERMISSION ORDER No. 50.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Pumpkins, in carloads, from Central Square, N. Y., and Constantia, N. Y., to Rome, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed October 1, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to cancel, upon one day's notice, Local Tariff A-610, P. S. C., 2 N. Y., No. 600, issued to become effective October 25, 1907, and to establish in its stead a special rate of one dollar ($1.00) per net ton on pumpkins, carloads, from Central Square, N. Y., and Constantia, N. Y., to Rome, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 611, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 50, of date October 1, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 1, 1907.*

SPECIAL PERMISSION ORDER No. 51.

Order on application of The New York Central and Hudson River Railroad Company, in connection with the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee).

Subject: Cider apples, evaporated apples, apple waste, chopped apples, apple cores, and apple skins, carloads, from stations named in application to Kingston, N. Y., Ravena, N. Y., and Voorheesville, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, in connection with the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed October 1, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), be and is hereby authorized to establish special rates as named in application on cider apples, evaporated apples, apple waste, chopped apples, apple cores, and apple skins, carloads, from stations named in application to Kingston, N. Y., Ravena, N. Y., and Voorheesville, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 2372, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under especial permission of the Public Service Commission, Second District, State of New York, No. 51, of date October 1, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 1, 1907.*

SPECIAL PERMISSION ORDER No. 52.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Cider apples, evaporated apples, apple waste, chopped apples, apple cores, and apple skins, carloads, from stations named in application to Newark, N. Y., Rochester, N. Y., Spencerport, N. Y., Holley, N. Y., and Palatine Bridge, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed October 1, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates as named in application on cider apples, evaporated apples, apple waste, chopped apples, apple cores, and apple skins, carloads, from stations named in application to Newark, N. Y., Rochester, N. Y., Spencerport, N. Y., Holley, N. Y., and Pala-

tine Bridge, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 2371, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 52, of date October 1, 1097."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 1, 1907.*

SPECIAL PERMISSION ORDER No. 53.

Order on application of The New York Central and Hudson River Railroad Company, in connection with the New York, Ontario and Western Railway Company.

Subject: Cider apples, evaporated apples, apple waste, chopped apples, apple cores, and apple skins, carloads, from points named in application to Bouckville, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, in connection with the New York, Ontario and Western Railway Company, filed October 1, 1097, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the New York, Ontario and Western Railway Company, be and hereby is authorized to establish special rates on cider apples, evaporated apples, apple waste, chopped apples, apple cores, and apple skins, carloads, from points named in application to Bouckville, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 2373, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 53, of date October 1, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 1, 1907.*

SPECIAL PERMISSION ORDER No 54.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee).

Subject: Cider apples, evaporated apples, apple waste, chopped apples, apple cores, and apple skins, carloads, from points shown in application to Newark, N. Y., Rochester, N. Y., Ravena, N. Y., and Voorheesville, N. Y.

Upon the application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed October 1, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N Y. C. & H. R. R. R. Co., lessee) be and hereby is authorized to establish special rates on cider apples, evaporated apples, apple waste, chopped apples, apple cores, and apple skins, carloads, from points named in application to Newark, N. Y., Rochester, N. Y., Ravena, N. Y., and Voorheesville, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 394, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 54, of date October 1, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 1, 1907.*

SPECIAL PERMISSION ORDER NO. 55.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with the New York, Ontario and Western Railway Company.

Subject: Cider apples, evaporated apples, apple waste, chopped apples, apple cores, and apple skins, carloads, from stations named in application to Bouckville, N. Y.

Upon the application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with the New York, Ontario and Western Railway Company, filed October 1, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with the New York, Ontario and Western Railway Company, be and is hereby authorized to establish special rates on cider apples, evaporated apples, apple waste, chopped apples, apple cores, and apple skins, carloads, from stations named in application to Bouckville, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 396, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 55, of date October 1, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 1, 1907.*

SPECIAL PERMISSION ORDER NO. 56.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The New York Central and Hudson River Railroad Company.

Subject: Cider apples, evaporated apples, apple waste, chopped apples, apple cores, and apple skins, carloads, from stations named in application to Spencerport, N. Y., Holley, N. Y., and Palatine Bridge, N. Y.

Upon the application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The New York Central and Hudson River Railroad Company, filed October 1, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish special rates on cider apples, evaporated apples, apple waste, chopped apples, apple cores, and apple skins, carloads, from stations named in application to Spencerport, N. Y., Holley, N. Y., and Palantine Bridge, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 395, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 56, of date of October 1, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 1, 1907.*

SPECIAL PERMISSION ORDER No. 57.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee).

Subject: Apples, carloads, from stations named in application to Brighton, N. Y., and Burt, N. Y.

Upon the application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed October 1, 1907, and for good cause shown, it is

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. R. Co., lessee) be and is hereby authorized to establish special rates on apples, carloads, from stations named in application to Brighton, N. Y., and Burt, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 2379, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 57, of date October 1, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 2, 1907.*

SPECIAL PERMISSION ORDER No. 58.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Brick, common, carloads, minimum weight as per official classification, from Sanfords, N. Y., to Pulaski, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed October 2, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of eighty cents ($0.80) per net ton on brick, common, carloads, minimum weight as per official classification, from Sanfords, N. Y., to Pulaski, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2488, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 58, of date October 2, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 3, 1907.*

SPECIAL PERMISSION ORDER No. 59.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Cider apples, carloads, from stations named in application to Bouckville, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed October 3, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish special rates named in application on cider apples, carloads, from stations named in application to Bouckville,

N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 626, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 59, of date October 3, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 3, 1907.*

SPECIAL PERMISSION ORDER No. 60.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Gravel, carloads, minimum weight 20 net tons, from Boonville, N. Y., to Carthage, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed October 3, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of fifty cents ($0.50) per net ton on gravel, carloads, minimum weight 20 net tons, from Boonville, N. Y., to Carthage, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 324, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 60, of date October 3, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 4, 1907.*

SPECIAL PERMISSION ORDER No. 60½.

Order on application of the Lehigh and Hudson River Railway Company.

Subject: Ice, carloads, from Burnside, N. Y., to New Milford, N. Y.

Upon the application of the Lehigh and Hudson River Railway Company, filed October 4, 1907, and for good cause shown, it is

Ordered: That the Lehigh and Hudson River Railway Company be and is hereby authorized to establish a special rate of twenty-five cents ($0.25) per net ton on ice, carloads, from Burnside N. Y., to New Milford, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 23, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 60½, of date October 4, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 4, 1907.*

SPECIAL PERMISSION ORDER No. 61.

Order on application of the Lehigh and Hudson River Railway Company.

Subject: Ice, carloads, from Lake, N. Y., to New Milford, N. Y.

Upon the application of the Lehigh and Hudson River Railway Company, filed October 4, 1907, and for good cause shown, it is

Ordered: That the Lehigh and Hudson River Railway Company be and is hereby authorized to establish a special rate of twenty-five cents ($0.25) per net ton on ice, carloads, from Lake, N. Y., to New Milford, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 24, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 61, of date October 4, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 4, 1907.*

SPECIAL PERMISSION ORDER No. 62.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Apples, carloads, from Millers, N. Y., to Canandaigua, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed October 4, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of seven cents ($0.07) per one hundred pounds on apples, carloads, from Millers, N. Y., to Canandaigua, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2506, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within thirty days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 62, of date October 4, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 7, 1907.*

SPECIAL PERMISSION ORDER No. 63.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Applying to Brighton, N. Y., the same rates as are now in effect to Rochester, N. Y., from points and on traffic as named in Tariff A-7395, P. S. C., 2 N. Y., No. 41.

Upon the application of The New York Central and Hudson River Railroad Company, filed October 7, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel, on one day's notice, the rates named in its Local Freight Tariff No. A-7395, P. S. C., 2 N. Y., No. 41, and to reëstablish said rates to apply from points and on traffic named in said tariff to Brighton, N. Y., and Rochester, N. Y.; provided that the tariff naming said rates shall be filed with the Commission and published at stations at least one day prior to the effective date specified in such tariff.

Such tariff shall be so filed and published within ten days from date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 63, of date October 7, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 7, 1907.*

SPECIAL PERMISSION ORDER NO. 64.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Apples, carloads, from Wilson, N. Y., Kendall, N. Y., and Hamlin, N. Y., to Spencerport, N. Y., at rates named in application.

Upon the application of The New York Central and Hudson River Railroad Company, filed October 7, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates on apples, carloads, from Wilson, N. Y., Kendall, N. Y., and Hamlin, N. Y., to Spencerport, N. Y.; provided that a tariff naming said rates shall be filed with the Commission and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 64, of date October 7, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 8, 1907.*

SPECIAL PERMISSION ORDER NO. 65.

Order on application of The New York Central and Hudson River Railroad Company, in connection with the Lowville and Beaver River railroad.

Subject: Cream, fluid and condensed milk, and pot cheese, carload and less carload lots, from Beaver Falls, N. Y., Croghan, N. Y., and New Bremen, N. Y., stations on Lowville and Beaver River railroad, to Thirty-third street and One Hundred and Thirtieth street, New York city, N. Y., on New York Central and Hudson River Railroad Company.

Upon the application of The New York Central and Hudson River Railroad Company, filed October 8, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company under authority given by the Lowville and Beaver River railroad, and in connection with the Lowville and Beaver River railroad, be and is hereby authorized to establish special rates as named in application on cream, fluid and condensed milk, and pot cheese, carload and less carload lots, from Beaver Falls, N. Y., Croghan, N. Y., and New Bremen, N. Y., to Thirty-third street and One Hundred and Thirtieth street, New York city, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under New York Central and Hudson River Railroad Company P. S. C., 2 N. Y., No. 2492, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 65, of date October 8, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 8, 1907.*

SPECIAL PERMISSION ORDER No. 66.

Order on application of The Delaware and Hudson Company.

Subject: Rates on ice, carloads, between stations named in application.

Upon application of The Delaware and Hudson Company, filed October 8, 1907, and for good cause shown, it is

Ordered: That The Delaware and Hudson Company be and is hereby authorized to cancel, on one day's notice, the rates named in its Local Freight Tariff F. D. No. 49 to D 50, P. S. C., 2 N. Y., No. 1102, and to reëstablish said rates to apply upon the traffic and between the points named in said application; provided that the tariff naming said rates shall be filed under P. S. C., 2 N. Y., No. 1109, with this Commission and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within five days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 66, of date October 8, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 8, 1907.*

SPECIAL PERMISSION ORDER No. 67.

Order on application of The Delaware and Hudson Company.

Subject: Rates on ice, carloads, between stations named in application and Cooperstown, N. Y., Milford, N. Y., Portlandville, N. Y., Hartwick Seminary, N. Y., and Phœnix Mills, N. Y.

Upon application of The Delaware and Hudson Company, filed October 8, 1907, and for good cause shown, it is

Ordered: That The Delaware and Hudson Company be and is hereby authorized to cancel, on one day's notice, rates named in Local Freight Tariff F. D. 3062, P. S. C., 2 N. Y., No. 1103, and to reëstablish said rates to apply between points and on traffic named in application and Cooperstown, N. Y., Milford, N. Y., Portlandville, N. Y., Hartwick Seminary, N. Y., and Phœnix Mills, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 1108, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within five days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 67, of date October 8, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 10, 1907.*

SPECIAL PERMISSION ORDER No. 68.

Order on application of the New York and Ottawa Railway Company.

Subject: Wood for fuel, consisting of log butts, corner wood and slabs, carloads, from Dickinson Center, N. Y., St. Regis Falls, N. Y., Santa Clara, N. Y., and Spring Cove, N. Y., to Tupper Lake, N. Y., and Tupper Lake Junction, N. Y.

Upon the application of the New York and Ottawa Railway Company, filed October 9, 1907, and for good cause shown, it is

Ordered: That the New York and Ottawa Railway Company be and is hereby authorized to establish special rate of one dollar ($1.00) per cubic

cord on wood for fuel, consisting of log butts, corner wood and slabs, carloads, minimum 12 cubic cords per car for box cars and 16 cubic cords per car for rack cars, from Dickinson Center, N. Y., St. Regis Falls, N. Y., Santa Clara, N. Y., and Spring Cove, N. Y., to Tupper Lake, N. Y., and Tupper Lake Junction, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 60, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 68, of date October 10, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 10, 1907.*

SPECIAL PERMISSION ORDER No. 69.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Apples, carloads, minimum weight as per official classification, from stations named in application, Burt, N. Y., to Hilton, N. Y., inclusive, to Suspension Bridge, N. Y., and from Williamson, N. Y., to Suspension Bridge, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed October 9, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of five cents ($0.05) per 100 lbs. on apples, carloads, minimum weight as per official classification, from stations named in application, Burt, N. Y., to Hilton, N. Y., inclusive, to Suspension Bridge, N. Y., and special rate of seven cents ($0.07) per 100 lbs. from Williamson, N. Y., to Suspension Bridge, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2556, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 69, of date October 10, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 10, 1907.*

SPECIAL PERMISSION ORDER No. 70.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Apples, carloads, and pumpkins, carloads, from stations named in application to Rome, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed October 9, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish a special rate of seven cents ($0.07) per 100 lbs. on apples, carloads, from Eaton, N. Y. and Morrisville, N. Y., and eight cents ($0.08) per 100 lbs. from Munns, N. Y., and Valley Mills, N. Y., and five and one-half cents ($0.05½) per 100 lbs. from Solsville, N. Y., to Rome, N. Y.; and special rate of one dollar ($1.00) per net ton on pumpkins, carloads, from Eaton, N. Y., Morrisville, N. Y., Munns, N. Y.,

Valley Mills, N. Y., and Solsville, N. Y., to Rome, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 635, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 70, of date October 10, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 10, 1907.*

SPECIAL PERMISSION ORDER No. 71.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Pumpkins, carloads, from Rome, N. Y., and Fish Creek, N. Y., to Hamilton, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed October 9, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish a special rate of one dollar ($1.00) per net ton on pumpkins, carloads, from Rome, N. Y., and Fish Creek, N. Y., to Hamilton, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 636, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 71, of date October 10, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 10, 1907.*

SPECIAL PERMISSION ORDER No. 71½.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on evaporated apples, carloads, from points named in application to Sodus, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 10, 1907, and for good cause shown, it is

Ordered: That the New York Central and Hudson River Railroad Company be and is hereby authorized to establish the special rates named in application to apply on shipments of evaporated apples, carloads, from points named in application to Sodus, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 3561, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 71½, of date October 10, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 10, 1907.*

SPECIAL PERMISSION ORDER No. 72.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on celery, carloads, minimum as per official classification, from Williamson, N. Y., to Rochester, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed October 10, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of eight cents ($0.08) per 100 lbs. on celery, carloads, minimum weight as per official classification, from Williamson, N. Y., to Rochester, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2563, and published at stations at least one day prior to the effective date of such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 72, of date October 10, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 10, 1907.*

SPECIAL PERMISSION ORDER No. 73.

Order on application of the West Shore railroad (New York Central and Hudson River Railroad Company, lessee).

Subject: Rate on evaporated apples, carloads, from points named in application to Sodus, N. Y.

Upon the application of the West Shore railroad (New York Central and Hudson River Railroad Company, lessee), filed October 10, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to establish the special rates named in application to apply on shipments of evaporated apples, carloads, from points named in application to Sodus, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 455, and published at stations at least one day prior to the effective date of such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 73, of date October 10, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 11, 1907.*

SPECIAL PERMISSION ORDER No. 74.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Rate on pumpkins, carloads, from Bouckville, N. Y., Deansboro, N. Y., Galena, N. Y., Oriskany Falls, N. Y., Rome, N. Y., Solsville, N. Y., and New Berlin, N. Y., to New Hartford, N. Y.; and on apples, carloads, from Bouckville, N. Y., Deansboro, N. Y., Hamilton, N. Y., Oriskany Falls, N. Y., and Solsville, N. Y., to New Hartford, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed October 11, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish a special rate of fifty cents ($0.50) per net ton on pumpkins, carloads, from Bouckville, N. Y., Deansboro, N. Y., Galena, N. Y., Oriskany Falls, N. Y., Rome, N. Y., and Solsville, N. Y., to New Hartford, N. Y.; and one dollar ($1.00) per net ton from New Berlin, N. Y., to New Hartford, N. Y.; and special rate of eighty cents ($0.80) per net ton on apples, carloads, from Bouckville, N. Y., Deansboro, N. Y., Hamilton, N. Y., Oriskany Falls, N. Y., and Solsville, N. Y., to New Hartford, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 640, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 74, of date October 11, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 11, 1907.*

SPECIAL PERMISSION ORDER No. 75.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Rate on apples, pumpkins, and squash, carloads, from Sidney, N. Y., and Randallsville, N. Y., to Kirkland, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed October 11, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish a special rate of nine cents ($0.09) per 100 lbs. from Sidney, N. Y., to Kirkland, N. Y., and five and one-half cents ($0.05½) per 100 lbs. from Randallsville, N. Y., to Kirkland, N. Y., on apples, pumpkins, and squash, carloads; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 646, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 75, of date October 11, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 11, 1907.*

SPECIAL PERMISSION ORDER No. 76.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Rate on pumpkins, carloads, from Randallsville, N. Y., and Galena, N. Y., to Oneida, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed October 11, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish a special rate of fifty cents ($0.50) per net ton on pumpkins, carloads, from Randallsville, N. Y., and Galena, N. Y., to Oneida, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 641, and published at stations at least three days prior to the effective date specified in such

tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 76, of date October 11, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 11, 1907.*

SPECIAL PERMISSION ORDER No. 77.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Rate on cider apples, carloads, from Earlville, N. Y., Smyrna, N. Y., Sherburne Four Corners, N. Y., Galena, N. Y., and Norwich, N. Y., to Deansboro, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed October 11, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish a special rate of four cents ($0.04) per 100 lbs. on cider apples, carloads, from Earlville, N. Y., Smyrna, N. Y., Sherburne Four Corners, N. Y., and Galena, N. Y., to Deansboro, N. Y.; and five cents ($0.05) per 100 lbs. from Norwich, N. Y., to Deansboro, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 644, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 77, of date October 11, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 11, 1907.*

SPECIAL PERMISSION ORDER No. 78.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Rate on apples in bulk, carloads, from stations named in application to Oneida, N. Y.

Upon the application of the New York, Ontario and Western Railway Company, filed October 11, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish a special rate of four cents ($0.04) per 100 lbs. on apples in bulk, carloads, from stations named in application to Oneida, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., 642, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 78, of date October 11, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 14, 1907.*

SPECIAL PERMISSION ORDER No. 79.

Order on application of the West Shore railroad (New York Central and Hudson River Railroad Company, lessee), in connection with the Boston and Albany railroad and New York Central and Hudson River Railroad Company.

Subject: Rate on apples, carloads, minimum weight as per official classification, from Ravena, N. Y., New Baltimore, N. Y., Coxsackie, N. Y., Feura Bush, N. Y., and Voorheesville, N. Y., to Dover Plains, N. Y.

Upon application of the West Shore railroad (New York Central and Hudson River Railroad Company, lessee), filed October 14, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (New York Central and Hudson River Railroad Company, lessee), in connection with the Boston and Albany railroad and New York Central and Hudson River Railroad Company, be and is hereby authorized to establish special rate of twelve cents ($0.12) per 100 lbs. on apples, carloads, minimum weight as per official classification, from Ravena, N. Y., New Baltimore, N. Y., Coxsackie, N. Y., Feura Bush, N. Y., and Voorheesville, N. Y., to Dover Plains, N. Y., via Boston and Albany railroad and New York Central and Hudson River Railroad Company; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 474, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 79, of date October 14, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 14, 1907.*

SPECIAL PERMISSION ORDER No. 80.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on tomatoes, carloads, minimum weight 24,000 lbs., from Appleton, N. Y., to Model City, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 14, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of five cents ($0.05) per 100 lbs. on tomatoes, carloads, minimum weight twenty-four thousand (24,000) pounds, from Appleton, N. Y., to Model City, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2622, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the folowing notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 80, of date October 14, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 14, 1907.*

SPECIAL PERMISSION ORDER No. 81.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on cabbage, carloads, from Kendall, N. Y., to Ontario, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 14, 1907, and for good cause shown, it is

Ordered: That the New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of five cents ($0.05) per 100 lbs. on cabbage, carloads, from Kendall, N. Y., to Ontario, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2578, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 81, of date October 14, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 14, 1907.*

SPECIAL PERMISSION ORDER No. 82.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on pumpkins and squash, carloads, to Rome, N. Y., from stations on R., W. & O. division named in application.

Upon application of The New York Central and Hudson River Railroad Company, filed October 14, 1907, and for good cause shown, it is

Ordered: That the New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on pumpkins and squash, carloads, from R., W. & O. division stations named in application to Rome, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2592, and published at stations at least one day prior to the effective date of such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 82, of date October 14, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 14, 1907.*

SPECIAL PERMISSION ORDER No. 83.

Order on application of the New York, Ontario and Western Railway Company, in connection with the Erie Railroad Company.

Subject: Rates on cider apples, carloads, from stations named in application to Goshen, N. Y., via Middletown, N. Y., and Erie Railroad Company.

Upon the application of the New York, Ontario and Western Railway Company, filed October 14, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company, in connection with the Erie Railroad Company, be and is hereby authorized to establish special rates named in application on cider apples, carloads, from stations on the New York, Ontario and Western Railway Company named in application to Goshen, N. Y., via Middletown, N. Y., and Erie

Railroad Company; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 645, and published at stations at least three days prior to the effective date of such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 83, of date October 14, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 16, 1907.*

SPECIAL PERMISSION ORDER No. 85.

Order on application of the Lowville and Beaver River Railroad Company.

Subject: Rate on castiron water pipe, carloads, minimum weight 36,000 lbs., Lowville, N. Y., to Croghan, N. Y.

Upon application of the Lowville and Beaver River Railroad Company filed October 16, 1907, and for good cause shown, it is

Ordered: That the Lowville and Beaver River Railroad Company be and is hereby authorized to establish a special rate of three and one-half cents ($0.03½) per 100 lbs. on castiron water pipe, carloads, minimum weight thirty-six thousand (36,000) pounds, from Lowville, N. Y., to Croghan, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 1, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 85, of date October 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 16, 1907.*

SPECIAL PERMISSION ORDER No. 86.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on pumpkins, carloads, minimum weight as per official classification, from Williamstown, N. Y., to Blossvale, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 16, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of five cents ($0.05) per 100 lbs. on pumpkins, carloads, minimum weight as per official classification, from Williamstown, N. Y., to Blossvale, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2634, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the State of New York, No. 86, of date October 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 16, 1907.*

SPECIAL PERMISSION ORDER No. 87.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on pumpkins and squash, carloads, from Mannsville, N. Y., to Rome, N. Y.

Upon the application of The New York Central and Hudson River Railroad Company, filed October 16, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of seven cents ($0.07) per 100 lbs. on pumpkins and squash, carloads, from Mannsville, N. Y., to Rome, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2636, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 87, of date October 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 16, 1907.*

SPECIAL PERMISSION ORDER No. 88.

Order on application of The New York Central and Hudson River Railroad Company, in connection with the West Shore railroad (New York Central and Hudson River Railroad Company, lessee).

Subject: Rate on cider apples, carloads, minimum weight as per official classification, from stations on the Putnam division to Kingston, N. Y., via West Shore railroad.

Upon application of the New York Central and Hudson River Railroad Company, filed October 16, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the West Shore railroad (New York Central and Hudson River Railroad Company, lessee), be and is hereby authorized to establish special rates named in application on cider apples, carloads, minimum weight as per official classification, from stations on the Putnam division named in application to Kingston, N. Y., via West Shore railroad; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2626, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 88, of date October 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 17, 1907.*

SPECIAL PERMISSION ORDER No. 89.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Rates on apples, pumpkins, and squash, carloads, from stations named in application to Kirkland, N. Y.

Upon application of the New York, Ontario and Western Railway Company, filed October 17, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish special rates named in application on apples, pumpkins, and squash, carloads, from stations named in application to Kirkland, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 646, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 89, of date October 17, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 18, 1907.*

SPECIAL PERMISSION ORDER No. 90.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on apples, carloads, minimum weight as per official classification, from stations on R., W. & O. division to Le Roy, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 18, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on apples, carloads, minimum weight as per official classification, from stations on R., W. & O. division named in application to Le Roy, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2651, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 90, of date October 18, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 18, 1907.*

SPECIAL PERMISSION ORDER No. 91.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on onions, carloads, from stations on R., W. & O. division, Oswego, N. Y., to Model City, N. Y., inclusive, to Rochester, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 18, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on onions. carloads, from stations on R., W. & O. division named in application to Rochester, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2649, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 91. of date October 18, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 18, 1907.*

SPECIAL PERMISSION ORDER No. 92.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on apples, carloads, from stations named in application to Hilton, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 18, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on apples, carloads, from stations named in application to Hilton, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2648, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 92, of date October 18, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 18, 1907.*

SPECIAL PERMISSION ORDER No. 93.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on cider apples, carloads, from stations on R., W. & O. division to Hilton, N. Y., and Medina, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 18, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on cider apples, carloads, from stations on R., W. & O. division named in application to Hilton, N. Y., and Medina, N. Y.; provided that a tariff naming said rates shall be filed with the Commission and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 93, of date October 18, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 18, 1907.*

SPECIAL PERMISSION ORDER No. 94.

Order on application of The New York Central and Hudson River Railroad Company, in connection with the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee).

Subject: Rates on cider apples, carloads, minimum weight as per official classification, from Garrison, N. Y., to Kingston, N. Y., via West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee).

Upon application of The New York Central and Hudson River Railroad Company, filed October 18, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), be and is hereby authorized to establish special rate of eleven

cents ($0.11) per 100 lbs. on cider apples, carloads, minimum weight as per official classification, from Garrison, N. Y., to Kingston, N. Y., via West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee); provided that a tariff naming said rate shall be filed with the Commission under Supplement No. 1 to P. S.. C., 2 N. Y., No. 2372, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 94, of date October 18, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 18, 1907.*

SPECIAL PERMISSION ORDER No. 95.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Switching charge at Gouverneur, N. Y., from siding of Watertown Marble Co. to siding of New York Marble Co.

Upon application of The New York Central and Hudson River Railroad Company, filed October 18, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special switching charge at Gouverneur, N. Y., of five dollars ($5.00) per car from the siding of the Watertown Marble Co. to the siding of the New York Marble Co.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2650, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 95, of date October 18, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 18, 1907.*

SPECIAL PERMISSION ORDER No. 96.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The Delaware and Hudson Company.

Subject: Rates on crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 lbs., from South Bethlehem, N. Y., to Fair Grounds (Albany), N. Y., via Voorheesville, N. Y., and D. & H. Co., and from South Bethlehem, N. Y., to Waterford, N. Y., and West Waterford, N. Y., via South Schenectady, and D. & H. Co.

Upon application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed October 18, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The Delaware and Hudson Company, be and is hereby authorized to establish special rate of sixty-five cents ($0.65) per net ton on crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 lbs., from South Bethlehem, N. Y., to Fair Grounds (Albany), N. Y., via Voorheesville, N. Y., and The Delaware and Hudson Company; and seventy-five cents ($0.75) per net ton to Waterford, N. Y., and West Waterford, N. Y., via South Schenectady, N. Y., and The Delaware and Hudson Company; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 492, and published at

stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 96, of date October 18, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 19, 1907.*

SPECIAL PERMISSION ORDER No. 97.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on gravel, carloads, minimum weight 20 net tons, from Boonville, N. Y., to Carthage, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 19, 1907, and for good cause shown, it is

Ordered: That the New York Central and Hudson River railroad be and is hereby authorized to reëstablish special rate of fifty cents ($0.50) per net ton on gravel, carloads, minimum weight 20 net tons, from Boonville, N. Y., to Carthage, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2662, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 97, of date October 19, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 19, 1907.*

SPECIAL PERMISSION ORDER No. 98.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on castiron pipe, carloads, minimum weight 40,000 lbs., from Utica, N. Y., to Natural Bridge, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 19, 1907, and for good cause shown, it is

Ordered: That the New York Central and Hudson River railroad be and is hereby authorized to establish a special rate of seven cents ($0.07) per 100 lbs. on castiron pipe, carloads, minimum weight 40,000 lbs., from Utica, N. Y., to Natural Bridge, N. Y.; provided that a tariff naming said rate shall be filed with the Commission and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 98, of date October 19, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 19, 1907.*

SPECIAL PERMISSION ORDER No. 99.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Cancellation of tariff P. S. C., 2 N. Y., No. 599, on effective date, and to reëstablish same rates applying on same traffic and between same stations, eliminating the clause "For Creamery Purposes," to be effective October 25, 1907.

Upon application of the New York, Ontario and Western Railway Company, filed October 19, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to cancel tariff P. S. C., 2 N. Y., No. 599, on effective date, and to reëstablish the same rates applying on same traffic and between same stations, eliminating the clause "For Creamery Purposes"; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 653, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 99, of date October 19, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 22, 1907.*

SPECIAL PERMISSION ORDER No. 100.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on celery, carloads, from Fairport, N. Y., to Rochester (State street), N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 22, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of six cents ($0.06) per 100 lbs. on celery, carloads, from Fairport, N. Y., to Rochester (State street), N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2668, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 100, of date October 22, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 22, 1907.*

SPECIAL PERMISSION ORDER No. 101.

Order on application of the New York, Ontario and Western Railway Company.

Subject: Rate on pigiron, carloads, from Franklin Springs, N. Y., to St. Johnsville, N. Y.

Upon application of the New York, Ontario and Western Railway Company, filed October 22, 1907, and for good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish a special rate of ninety cents ($0.90)

per gross ton on pigiron, carloads, from Franklin Springs, N. Y., to St. Johnsville, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 656, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 101, of date October 22, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 23, 1907.*

SPECIAL PERMISSION ORDER No. 102.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on manure, carloads, maximum weight marked capacity of car, from Buffalo (Carroll, Erie, and Ohio street stations), N. Y., Black Rock, N. Y., and East Buffalo, N. Y., to stations Model City, N. Y., to Sodus, N. Y., inclusive.

Upon application of The New York Central and Hudson River Railroad Company, filed October 23, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of twelve dollars ($12.00) per car on manure, carloads, maximum weight marked capacity of car, from Buffalo (Carroll, Erie, and Ohio street stations), N. Y., Black Rock, N. Y., and East Buffalo, N. Y., to stations on the N. Y. C. & H. R. R. R. Co., Model City, N. Y., to Sodus, N. Y., inclusive; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2681, and published at stations at least one day prior to November 1, 1907, the effective date of such tariff. Such tariff shall be filed and published previous to October 30, 1907, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 102, of date October 23, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 24, 1907.*

SPECIAL PERMISSION ORDER No. 103.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on cider apples, carloads, from stations named in application to Hilton, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 24, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on cider apples, carloads, from stations named in application to Hilton, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., 2688, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 103, of date October 24, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 24, 1907.*

SPECIAL PERMISSION ORDER No. 104.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on hay and straw, carloads, from Lafargeville, N. Y., to Watertown, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 24, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of seven cents ($0.07) per 100 lbs. on hay and straw, carloads, from Lafargeville, N. Y., to Watertown, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2687, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 104, of date October 24, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 24, 1907.*

SPECIAL PERMISSION ORDER No. 105.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The Delaware and Hudson Company.

Subject: Rate on crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 lbs., from South Bethlehem, N. Y., to Waterford, N. Y., and West Waterford, N. Y., via Voorheesville, N. Y., and The D. & H. Co.

Upon application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed October 24, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The Delaware and Hudson Company, be and is hereby authorized to establish special rate of seventy cents ($0.70) per net ton on crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 lbs., from South Bethlehem, N. Y., to Waterford, N. Y., and West Waterford, N. Y., via Voorheesville, N. Y., and The Delaware and Hudson Company; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 504, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 105, of date October 24, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 24, 1907.*

SPECIAL PERMISSION ORDER No. 106.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on apples (green, dried, or evaporated), and on apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from stations on main line of N. Y. C. & H. R. R. R. Co. named in application to stations on R., W. & O. division of N. Y. C. & H. R. R. R. Co. named in application.

Upon application of The New York Central and Hudson River Railroad Company, filed October 24, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on apples (green, dried, or evaporated), and on apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from stations on main line of N. Y. C. & H. R. R. R. Co. named in application to stations on R., W. & O. division of N. Y. C. & H. R. R. R. Co. named in application; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2683, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 106, of date October 24, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 24, 1907.*

SPECIAL PERMISSION ORDER No. 107.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on apples (green, dried, or evaporated), and on apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from stations on the R., W. & O. division of the N. Y. C. & H. R. R. R. Co. named in application to stations on the R., W. & O. division of N. Y. C. & H. R. R. R. Co. named in application.

Upon application of The New York Central and Hudson River Railroad Company, filed October 24, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on apples (green, dried, or evaporated), and on apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from stations on R., W. & O. division of N. Y. C. & H. R. R. R. Co., named in application to stations on R., W. & O. division of N. Y. C. & H. R. R. R. Co. named in application; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2684, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 107, of date October 24, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 24, 1907.*

SPECIAL PERMISSION ORDER No. 108.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on evaporated apples, apple chops, and apple waste, carloads, from Pierrepont Manor, N. Y., to Sodus, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 24, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of ten cents ($0.10) per 100 lbs. on evaporated apples, apple chops, and apple waste, carloads, from Pierrepont Manor, N. Y., to Sodus, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2676, and published at stations at least one day prior to the effective

date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 108, of date October 24, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 24, 1907.*

SPECIAL PERMISSION ORDER No. 109.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on apples (green, dried, or evaporated), and on apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from stations on R., W. & O. division of N. Y. C. & H. R. R. R. Co. named in application to stations on main line of N. Y. C. & H. R. R. R. Co. named in application.

Upon application of The New York Central and Hudson River Railroad Company, filed October 24, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on apples (green, dried, or evaporated), and on apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from stations on R., W. & O. division of N. Y. C. & H. R. R. R. Co. named in application to stations on main line of N. Y. C. & H. R. R. R. Co. named in application; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2682, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 109, of date October 24, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 24, 1907.*

SPECIAL PERMISSION ORDER No. 110.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on sand, carloads, minimum marked capacity of car but not less than 20 net tons, from Lockport, N. Y., to Barker, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 24, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and hereby is authorized to cancel, on one day's notice, rates named in Local Freight Tariff No. A-7869, P. S. C., 2 N. Y., No. 2641, and to reëstablish said rate to apply on traffic named in application from Lockport, N. Y., to Barker, N. Y.; providing that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2689, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within five days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 110, of date October 24, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 26, 1907.*

SPECIAL PERMISSION ORDER No. 111.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on apples (green, dried, or evaporated), and on apple waste, apple chops, apple cores, and apple skins, carloads, minimum weight as per official classification, from stations on main line of N. Y. C. & H. R. R. R. Co. named in application to stations on R., W. & O. division of N. Y. C. & H. R. R. R. Co. named in application.

Upon application of The New York Central and Hudson River Railroad Company, filed October 26, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on apples (green, dried, or evaporated), and on apple waste, apple chops, apple cores, and apple skins, carloads, minimum weight as per official classification, from stations on main line of N. Y. C. & H. R. R. R. Co. named in application to stations on R., W. & O. division of N. Y. C. & H. R. R. R. Co. named in application; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2695, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 111, of date October 26, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 29, 1907.*

SPECIAL PERMISSION ORDER No. 112.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on barley, carloads, minimum as per official classification, from Oswego, N. Y., to Oneida, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 29, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and hereby is authorized to establish a special rate of five cents ($0.05) per 100 lbs. on barley, carloads, minimum weight as per official classification, from Oswego, N. Y., to Oneida, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2705, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 112, of date October 29, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 29, 1907.*

SPECIAL PERMISSION ORDER No. 113.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on malt, carloads, minimum weight as per official classification, from Oneida, N. Y., to Oswego, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed October 29, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of five cents ($0.05) per 100 lbs. on malt, carloads, minimum weight as per official classification, from Oneida, N. Y., to Oswego, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2706, and published at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 113, of date October 29, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 29, 1907.*

SPECIAL PERMISSION ORDER No. 114.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on sleighs and cutters, finished, set up, less carloads, minimum weight 200 lbs. each, from Watertown, N. Y., to stations on N. Y. C. & H. R. R. R. Co. named in application.

Upon application of The New York Central and Hudson River Railroad Company, filed October 29, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on sleighs and cutters, finished, set up, less carloads, minimum weight 200 lbs. each, from Watertown, N. Y., to stations on N. Y. C. & H. R. R. R. Co. named in application; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2692, and published at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 114, of date October 29, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 31, 1907.*

SPECIAL PERMISSION ORDER No. 115.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Correction to Tariff P. S. C., 2 N. Y., No. 2703.

Upon application of The New York Central and Hudson River Railroad Company, filed October 31, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a supplement to Tariff P. S. C., 2 N. Y., No. 2703, establishing rates named in application at Poughkeepsie, N. Y., to apply on packing-house products, and to correct on page 5 the caption to read "Live Stock and Fresh Dressed Meats"; also correct the rates to apply on fresh dressed meats instead of dressed beef; provided that a supplement to Tariff P. S. C., 2 N. Y., No. 2703, be filed with this Commission and published at stations at least one day prior to the effective date specified in such supplement. Such supplement shall be so filed and published within five days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 115, of date October 31, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *October 31, 1907.*

SPECIAL PERMISSION ORDER No. 116.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee).

Subject: Correction to Tariff P. S. C., 2 N. Y., No. 512.

Upon application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed October 31, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee) be and is hereby authorized to issue a supplement to Tariff P. S. C., 2 N. Y., No. 512, establishing rates named in application at Poughkeepsie, N. Y., to apply on packing-house products, and to correct on page 5 the caption to read "Live Stock and Fresh Dressed Meats"; also correct the rates to apply on fresh dressed meats instead of dressed beef; provided that a supplement to Tariff P. S. C., 2 N. Y., No. 512, be filed with the Commission and published at stations at least one day prior to the effective date specified in such supplement. Such supplement shall be so filed and published within five days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 116, of date October 31, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 2, 1907.*

SPECIAL PERMISSION ORDER No. 117.

Order on application of the Rutland Railroad Company.

Subject: Rate on hay, carloads, minimum weight as per official classification, from Champlain, N. Y., to Forestport, N. Y., via Malone, N. Y.

Upon application of the Rutland Railroad Company, filed November 1, 1907, and for good cause shown, it is

Ordered: That the Rutland Railroad Company be and is hereby authorized to establish a special rate of twelve cents ($0.12) per 100 lbs., to apply upon shipments of hay, carloads, minimum weight as per official classification, from Champlain, N. Y., to Forestport, N. Y., via Malone, N. Y.; provided that a tariff with date of issue not previous to November 2, 1907, naming said rate shall be filed with the Commission under proper P. S. C., 2 N. Y., No. ——, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 117, of date November 2, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 6, 1907.*

SPECIAL PERMISSION ORDER No. 118.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on feed, carloads, minimum weight as per official classification, from Antwerp, N. Y., to Gouverneur, N. Y., and Richville, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed November 6, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of four cents ($0.04) per 100 lbs. on feed, carloads, minimum weight as per official classification, from Antwerp, N. Y., to Gouverneur, N. Y., and Richville, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2777, and posted at stations at least three days

prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 118, of date November 6, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 9, 1907.*

SPECIAL PERMISSION ORDER No. 119.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on evaporated apples, carloads, minimum weight as per official classification from Lakeside, N. Y., Williamson, N. Y., Sodus, N. Y., Wallington, N. Y., Alton, N. Y., Rose, N. Y., Wolcott, N. Y., Red Creek, N. Y., Sterling, N. Y., Crocketts, N. Y., and Hannibal, N. Y., to Ontario, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed November 9, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on evaporated apples, carloads, minimum weight as per official classification, from stations named in application to Ontario, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2785, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 119, of date November 9, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 9, 1907.*

SPECIAL PERMISSION ORDER No. 120.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on apples (green, dried, or evaporated), apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from Spencerport, N. Y., to Coomer, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed November 9, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to established a special rate of six and one-half cents ($0.06½) per 100 lbs. on apples (green, dried, or evaporated), apple chops, apple waste, apple cores, and apple skins, carloads, minimum as per official classification from Spencerport, N. Y., to Coomer, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 2683, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 120, of date November 9, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 9, 1907.*

SPECIAL PERMISSION ORDER No. 121.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on wooden plugs, in bags, less carloads, from Oswegatchie, N. Y., to Carthage, N. Y., Fulton, N. Y., Dexter, N. Y., Gouverneur, N. Y., Potsdam, N. Y., Norwood, N. Y., Fulton, N. Y., Lyons Falls, N. Y., and Port Leyden N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed November 9, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on wooden plugs, in bags, less carloads, from Oswegatchie, N. Y., to stations named in application; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2784, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New Yor, No. 121, of date November 9, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 11, 1907.*

SPECIAL PERMISSION ORDER No. 122.

Order on application of the Long Island Railroad Company.

Subject: Charter rate on club car with porter in charge for exclusive use of party making charter, for six months commencing November 15, 1907, to and including May 14, 1908, for movement on regular trains one round trip each day, Sundays and legal holidays excluded, between Long Island City, N. Y., and stations on the Far Rockaway branch, namely: Far Rockaway, N. Y., to Huletts, N. Y., inclusive; chartering party occupying car to purchase each month 30 or more commutation tickets between Long Island City, N. Y., or Brooklyn, N. Y., and the stations named on Far Rockaway branch at regular rates posted and published in tariff P. S. C., 2 N. Y., No. 28, and all persons occupying the car upon any trip to hold such commutation or other tickets purchased at published rates.

Upon application of the Long Island Railroad Company, filed November 9, 1907, and for good cause shown, it is

Ordered: That the Long Island Railroad Company be and is hereby authorized to establish special rate of $180.00 per month for the exclusive use of club car to be run between stations named in application and upon terms provided in the subject of this order; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 32, and posted at stations at least one day prior to November 15, 1907, the effective date to be specified in such tariff. Such tariff shall be so filed and posted, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 122, of date November 11, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 13, 1907.*

SPECIAL PERMISSION ORDER No. 123.

Order on application of the New York and Ottawa Railway Company.

Subject: Rate on carload freight of all kinds, except coal and coke, between Tupper Lake, N. Y., and Tupper Lake Junction, N. Y., when coming from or going to The New York Central and Hudson River Railroad Company.

Upon application of the New York and Ottawa Railway Company, filed November 11, 1907, and for good cause shown, it is

Ordered: That the New York and Ottawa Railway Company be and is hereby authorized to establish a special rate of one cent ($0.01) per 100 lbs. on carload freight of all kinds, except coal and coke, governed by official classification, minimum charge three dollars ($3.00) per car, between Tupper Lake, N. Y., and Tupper Lake Junction, N. Y., when coming from or going to The New York Central and Hudson River Railroad Company; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 62, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 123, of date November 13, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 12, 1907.*

SPECIAL PERMISSION ORDER No. 124.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on cabbage, carloads, from stations named in application to Albion, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed November 12, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on cabbage, carloads, from stations named in application to Albion, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2812, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 124, of date November 12, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 14, 1907.*

SPECIAL PERMISSION ORDER No. 125.

Order on application of the Cooperstown and Charlotte Valley Railroad.

Subject: Rates on milk, buttermilk, cream, condensed milk, and pot cheese, carloads and less carloads, from all stations on the Cooperstown and Charlotte Valley Railroad to all stations on The Delaware and Hudson Company.

Upon application of the Cooperstown and Charlotte Valley Railroad, filed November 13, 1907, and for good cause shown, it is

Ordered: That the Cooperstown and Charlotte Valley Railroad be and is hereby authorized to establish special rates named in application on milk,

buttermilk, cream, condensed milk, and pot cheese, carloads and less carloads, from all stations on the Cooperstown and Charlotte Valley Railroad to all stations on The Delaware and Hudson Company; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 39, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 125, of date November 14, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 14, 1907.*

SPECIAL PERMISSION ORDER No. 126.

Order on application of the Ulster and Delaware Railroad, in connection with the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee).

Subject: Rates on milk, cream, pot cheese, and buttermilk from all stations on the Ulster and Delaware Railroad to all stations in New York state on line of West Shore railroad intermediate Kingston, N. Y., to Weehawken, N. J.; also on new cans, new crates, new bottles, brushes, soap, and other creamery supplies when shipped in returning milk cars from New York state points on West Shore railroad intermediate Weehawken, N. J., to Kingston, N. Y., to points on Ulster and Delaware railroad.

Upon application of the Ulster and Delaware railroad, filed November 13, 1907, and for good cause shown, it is

Ordered: That the Ulster and Delaware railroad, in connection with the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), be and is hereby authorized to establish special rates named in application on milk, cream, pot cheese, and buttermilk from all stations on the Ulster and Delaware railroad, same to be named in the tariff, to points in New York state on West Shore railroad intermediate between Kingston, N. Y., and Weehawken, N. J., at which milk train carrying shipments from Ulster and Delaware railroad points may be scheduled to stop, to be named in the tariff; also rates named in application on new cans, new crates, new bottles, brushes, soap, and other creamery supplies when shipped in returning milk cars from such points on West Shore railroad to Ulster and Delaware railroad stations; provided that a tariff naming said rates shall be filed with the Commission under proper P. S. C., 2 N. Y., number, and posted at all stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 126, of date November 14, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 15, 1907.*

SPECIAL PERMISSION ORDER No. 127.

Order on application of The Delaware and Hudson Company.

Subject: Permission to issue supplement to tariff P. S. C., 2 N. Y., No. 1227, to correct typographical error in the tariff, making the following changes: On page 3 of tariff under heading "Minimum and maximum carload weights," the minimum weight for box or stock cars 33 feet or over of 40,000 lbs. capacity, weight group No. 5, to read 26,000 pounds.

Upon application of The Delaware and Hudson Company, filed November 14, 1907, and for good cause shown, it is

Ordered: That The Delaware and Hudson Company be and is hereby authorized to make the following change on page 3 of tariff P. S. C., 2 N. Y.,

No. 1227: Under heading "Minimum and maximum carload weights," the minimum weight for box or stock cars of 33 feet or over of 40,000 lbs. capacity, weight group No. 5, be changed to read 26,000 lbs.; provided that a tariff making said change shall be filed with the Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 1227, and posted at stations at least one day prior to the effective date specified in such schedule. Such schedule shall be so filed and posted within five days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 127, of date November 15, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 15, 1907.*

SPECIAL PERMISSION ORDER No. 128.

Order on application of the Ulster and Delaware Railroad.

Subject: Permission to make effective the Official Classification No. 30 and supplements thereto.

Upon application of the Ulster and Delaware railroad, filed November 14, 1907, and for good cause shown, it is

Ordered: That the Ulster and Delaware railroad be and is hereby authorized to make effective Official Classification No. 30 and supplements thereto on all traffic originating at points on the Ulster and Delaware railroad; provided that such classification be filed with this Commission under P. S. C., 2 N. Y., No. 1, and posted at stations at least one day prior to the effective date specified therein. Such classification shall be so filed and posted within five days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 128, of date November 15, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 15, 1907.*

SPECIAL PERMISSION ORDER No. 129.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on beans, carloads, from stations named in application to Brockport, N. Y., Holley, N. Y., and Bergen, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed November 14, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on beans, carloads, minimum weight as per official classification, from stations named in application to Brockport, N. Y., Holley, N. Y., and Bergen, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2. N. Y., No. 2813, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 129, of date November 15, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 15, 1907.*

SPECIAL PERMISSION ORDER No. 130.

Order on application of The New York Central and Hudson River Railroad Company, in connection with the Lehigh Valley railroad.

Subject: Rates on lumber and piling, carloads, minimum weight 40,000 lbs., from Williamstown, N. Y., Kasoag, N. Y., and Altmar, N. Y., to Sylvan Beach, N. Y., via Camden, N. Y., and Lehigh Valley railroad.

Upon application of The New York Central and Hudson River Railroad Company, filed November 14, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Lehigh Valley railroad, be and is hereby authorized to establish special rates named in application on lumber and piling, carloads, minimum weight 40,000 lbs., from Williamsport, N. Y., Kasoag, N. Y., and Altmar, N. Y., to Sylvan Beach, N. Y., via Camden, N. Y., and Lehigh Valley railroad; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 2818, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 130, of date November 15, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 19, 1907.*

SPECIAL PERMISSION ORDER No. 131.

Order on application of The Niagara Gorge Railroad Company.

Subject: Rates for newspapers carried on passenger cars between Niagara Falls, N. Y., Lewiston, N. Y., and Youngstown, N. Y.

Upon application of The Niagara Gorge Railroad Company, filed November 16, 1907, and for good cause shown, it is

Ordered: That The Niagara Gorge Railroad Company be and is hereby authorized to establish special rate of twenty-five cents ($0.25) per 100 lbs. per month on newspapers carried on passenger cars between Niagara Falls, N. Y., Lewiston, N. Y., and Youngstown, N. Y., said rate to be based on total number of pounds per month shipped by any one consignor; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 2, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 131, of date November 19, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 20, 1907.*

SPECIAL PERMISSION ORDER No. 132.

Order on application of the New York and Ottawa Railway Company.

Subject: Rate on old rails, carloads, minimum weight 15 gross tons, from Tupper Lake Junction, N. Y., to St. Regis Falls, N. Y.

Upon application of the New York and Ottawa Railway Company, filed November 20, 1907, and for good cause shown, it is

Ordered: That the New York and Ottawa Railway Company be and is hereby authorized to establish special rate of one dollar ($1.00) per gross ton on old rails, carloads, minimum weight fifteen (15) gross tons, from

Tupper Lake Junction, N. Y., to St. Regis Falls, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 65, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 132, of date November 20, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 20, 1907.*

SPECIAL PERMISSION ORDER No. 133.

Order on application of the Rochester and Eastern Rapid Railway Company.

Subject: Change in round-trip ticket fares from Victor, N. Y., to Bushnell's Basin, N. Y., and Geneva, N. Y.; also to eliminate from page 6 of tariff P. S. C., 2 N. Y., No. 1, under heading "Special Geneva Commutation Tickets," the following clause: "In case fare is not a multiple of 5 cents, a coupon will be detached for 3 cents or over."

Upon application of the Rochester and Eastern Rapid Railway Company, filed November 20, 1907, and for good cause shown, it is

Ordered: That the Rochester and Eastern Rapid Railway Company be and is hereby authorized to change the established round-trip ticket fares from Victor, N. Y., to Bushnell's Basin, N. Y., from twenty cents ($0.20) to twenty-one cents ($0.21); and from Victor, N. Y., to Geneva, N. Y., from eighty cents ($0.80) to seventy-eight cents ($0.78); also to eliminate from page 6 of tariff P. S. C., 2 N. Y., No. 1, under heading "Special Geneva Commutation Tickets," the following clause: "In case fare is not a multiple of 5 cents, a coupon will be detached for 3 cents or over"; provided that a tariff naming said rates and noting said change shall be filed with this Commission and posted at stations at least three days prior to the effective date specified in such schedule. Such tariff making authorized changes may be issued as Supplement No. 1 to P. S. C., 2 N. Y., No. 1, or in a new schedule under P. S. C., 2 N. Y., No. 2, canceling and superseding all fares, charges, rules and regulations as now shown in tariff P. S. C., 2 N. Y., No. 1; to be filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 133, of date November 20, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 22, 1907.*

SPECIAL PERMISSION ORDER No. 134.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Switching charge at Corning, N. Y., between the Bridge street plant and Market street plant of The T. H. Symington Company.

Upon application of The New York Central and Hudson River Railroad Company, filed November 21, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish switching charge of three dollars and fifty cents ($3.50) per car between the Bridge street plant and Market street plant of The T. H. Symington Company, Corning, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2885, and posted at stations at least one day

prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 134, of date November 22, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 22, 1907.*

SPECIAL PERMISSION ORDER No. 135.

Order on application of the Erie Railroad Company.

Subject: To reissue tariff P. S. C., 2 N. Y., No. 529, and establish switching charges at Elmira, N. Y.

Upon application of the Erie Railroad Company, filed November 21, 1907, and for good cause shown, it is

Ordered: That the Erie Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 529, and establish the following switching charges at Elmira, N. Y.: Switching charges on freight to or from connection with the Pennsylvania Railroad Company, Delaware, Lackawanna and Western Railroad Company, and the Lehigh Valley Railroad Company, shipped by, consigned to or in care of parties using private sidings on the Erie railroad, as follows:

Pennsylvania Railroad Company.....	$3 00 per car
Delaware, Lackawanna and Western Railroad Company and Lehigh Valley Railroad Company (non-competitive).....	3 00 per car
Delaware, Lackawanna and Western Railroad Company and Lehigh Valley Railroad Company (competitive).....	5 00 per car

The rates are not to apply on shipments of coal and coke nor to cover switching of traffic to and from connecting line and public team tracks or public freight house. Provided a tariff naming said rates shall be filed with this Commission and posted at stations at least three days prior to November 30, 1907. Such schedule to be issued as tariff P. S. C., 2 N. Y., No. 565, superseding tariff P. S. C., 2 N. Y., No. 529, and to be filed within five days from the date of this order, and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 135, of date November 22, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 22, 1907.*

SPECIAL PERMISSION ORDER No. 136.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Switching charge at Potsdam, N. Y., from connection with the siding of the Hannawa Falls Water Power Co. to the siding of the Raquette River Paper Co.

Upon application of The New York Central and Hudson River Railroad Company, filed November 21, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish switching charge of three dollars and fifty cents ($3.50) per car from the connection of the N. Y. C. & H. R. R. R. Co. with the siding of the Hannawa Falls Water Power Co. to the siding of the Raquette River Paper Co. at Potsdam, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 2866, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following

notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 136, of date November 22, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 22, 1907.*

SPECIAL PERMISSION ORDER No. 137.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on hay, pressed in bales, carloads, minimum weight as per official classification, from Rices, N. Y., Edison, N. Y., and Adams, N. Y., to Harrisville, N. Y., Jayville, N. Y., Oswegatchie, N. Y., Benson Mines, N. Y., and Newton Falls, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed November 21, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of fifteen cents ($0.15) per 100 lbs. on hay, pressed in bales, carloads, minimum weight as per official classification, from Rices, N. Y., Edison, N. Y., and Adams, N. Y., to Harrisville, N. Y., Jayville, N. Y., Oswegatchie, N. Y., Benson Mines, N. Y., and Newton Falls, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 2879, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order. and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 137, of date November 22, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 22, 1907.*

SPECIAL PERMISSION ORDER No. 138.

Order on application of The New York Central and Hudson River Railroad Company, in connection with the Lima-Honeoye Electric Light and Railroad Company.

Subject: Rates on cabbage, carrots, evaporated apples, onions, potatoes, and beans, carloads, minimum weight as per official classification, from Lima, N. Y., to Melrose Junction, N. Y., and stations in New York city named in application.

Upon application of The New York Central and Hudson River Railroad Company, filed November 22, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Lima-Honeoye Electric Light and Railroad Company, be and is hereby authorized to establish special rate of fifteen cents ($0.15) per 100 lbs. on cabbage, carrots, evaporated apples, onions, potatoes, and beans, carloads, minimum weight as per official classification, from Lima, N. Y., to Melrose Junction, N. Y., and stations in New York city, N. Y., as named in application; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2899, and posted at stations at least one day prior to November 27, 1907, the effective date, and be made to expire December 15, 1907. Such tariff shall be so filed and posted within five days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 138, of date November 22, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 26, 1907.*

SPECIAL PERMISSION ORDER No. 139.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Switching charge on coal and coke, carloads, from connection of N. Y. C. & H. R. R. R. Co. with the Buffalo, Rochester and Pittsburgh railway at Charlotte, N. Y., to N. Y. C. & H. R. R. R. Co. deliveries at Charlotte, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed November 21, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish switching charge of two dollars per car on shipments of coal and coke, carloads, from connection of the N. Y. C. & H. R. R. R. Co. with the Buffalo, Rochester and Pittsburgh railway at Charlotte, N. Y., to N. Y. C. & H. R. R. R. Co. deliveries at Charlotte, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. C-36, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 139, of date November 26, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 27, 1907.*

SPECIAL PERMISSION ORDER No. 140.

Order on application of the Little Falls and Dolgeville Railroad Company, in connection with The New York Central and Hudson River Railroad Company and the West Shore railroad.

Subject: Rate on piles, carloads, minimum weight as per official classification, from Dolgeville, N. Y., to Pattersonville, N. Y.

Upon application of the Little Falls and Dolgeville Railroad Company, filed November 27, 1907, and for good cause shown, it is

Ordered: That the Little Falls and Dolgeville Railroad Company, in connection with The New York Central and Hudson River Railroad Company and the West Shore railroad, be and is hereby authorized to establish a special rate of one dollar and seventy-five cents ($1.75) per net ton on piles, carloads, minimum weight as per official classification, from Dolgeville, N. Y., to Pattersonville, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 31, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 140, of date November 27, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 29, 1907.*

SPECIAL PERMISSION ORDER No. 141.

Order on application of the New York and Ottawa Railway Company.

Subject: Rate on common sand, carloads, minimum weight per car 36,000 lbs., from Meno, N. Y., to St. Regis Falls, N. Y.

Upon the application of the New York and Ottawa Railway Company, filed November 29, 1907, and for good cause shown, it is

Ordered: That the New York and Ottawa Railway Company be and is hereby authorized to establish special rate of one cent ($0.01) per 100 lbs. on common sand, carloads, minimum weight 36,000 lbs. per car, to be loaded on cars supplied by shipper without remuneration, from Meno, N. Y., to St. Regis Falls, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 65, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 141, of date November 29, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 29, 1907.*

SPECIAL PERMISSION ORDER No. 142.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee).

Subject: Rate on apples (green, dried. or evaporated), apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from Wayneport, N. Y., to Syracuse, N. Y.

Upon the application of the West Shore railroad, (N. Y. C. & H. R. R. R. Co., lessee), filed November 27, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee) be and is hereby authorized to establish a special rate of six cents ($0.06) per 100 lbs. on apples (green, dried, or evaporated), apples chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from Wayneport, N. Y., to Syracuse, N. Y.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 687, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 142, of date November 29, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 29, 1907.*

SPECIAL PERMISSION ORDER No. 143.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on apples (green, dried, or evaporated), apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from Webster, N. Y., and other stations named in application to Rose, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed November 27, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on shipments of apples (green, dried, or evaporated), apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from Webster, N. Y., and other stations named in application to Rose, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2881, and posted at stations at least one day prior to the effective date specified in such tariff.

Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 143, of date November 29, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 29, 1907.*

SPECIAL PERMISSION ORDER No. 144.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on apples (green, dried, or evaporated), apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from Victor, N. Y., and other stations named in application to Syracuse, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed November 27, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on shipments of apples (green, dried, or evaporated), apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from Victor, N. Y., and other stations named in application to Syracuse, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2880, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 144, of date November 29, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 29, 1907.*

SPECIAL PERMISSION ORDER No. 145.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on apples (green, dried, or evaporated), apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from Victor, N. Y., and other stations named in application to St. Johnsville, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed November 27, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on shipments of apples (green, dried, or evaporated), apple chops, apple waste, apple cores, and apple skins, carloads, minimum weight as per official classification, from Victor, N. Y., and other stations named in application to St. Johnsville, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 2882, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 145, of date November 29, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 29, 1907.*

SPECIAL PERMISSION ORDER No. 146.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The New York Central and Hudson River Railroad Company.

Subject: Rates on beans, carloads, minimum weight as per official classification, from Clyde, N. Y., and other stations named in application to Holley, N. Y., Brockport, N. Y., and Bergen, N. Y.

Upon application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed November 27, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish special rates named in application on beans, carloads, minimum weight as per official classification, from Clyde, N. Y., and other stations named in application to Holley, N. Y., Brockport, N. Y., and Bergen, N. Y.; provided that a tariff naming said rates shall be filed with the Commission under P. S. C., 2 N. Y., No. 672, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 146, of date November 29, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 3, 1907.*

SPECIAL PERMISSION ORDER No. 147.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Switching charge at Corning, N. Y., between siding at the brick plant of the Brick, Terra Cotta & Tile Co., and siding at shale bed of the Brick, Terra Cotta & Tile Co.

Upon application of The New York Central and Hudson River Railroad Company, filed December 3, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish at Corning, N. Y., switching charge of two dollars and fifty cents ($2.50) per car between siding at the brick plant of the Brick, Terra Cotta & Tile Co. and siding at shale bed of the Brick, Terra Cotta & Tile Co.; provided that a tariff naming said rate shall be filed with the Commission under P. S. C., 2 N. Y., No. 2928, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 147, of date December 3, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 3, 1907.*

SPECIAL PERMISSION ORDER No. 148.

Order on joint application of The Delaware and Hudson Company and The Pittsburgh, Shawmut and Northern Railroad Company.

Subject: To change rates in The Delaware and Hudson Company's tariff P. S. C., 2 N. Y., No. 1229, and in The Pittsburgh, Shawmut and Northern Railroad Company's tariff P. S. C., 2 N. Y., No. 66, made necessary by reason of typographical error, the present rates being in conflict with section 36 of the Public Service Commissions Law.

Upon application of The Delaware and Hudson Company and The Pittsburgh, Shawmut and Northern Railroad Company, filed December 2, 1907, and for good cause shown, it is

Ordered: That The Delaware and Hudson Company and The Pittsburgh, Shawmut and Northern Railroad Company be and are hereby authorized to make changes, as shown in application, in their tariffs P. S. C., 2 N. Y., Nos. 1229 and 66 respectively; provided that a schedule making such changes shall be filed with this Commission under Supplement No. 1 to The Delaware and Hudson Company P. S. C., 2 N. Y., No. 1229, and Supplement No. 1 to The Pittsburgh, Shawmut and Northern Railroad Company P. S. C., 2 N. Y., No. 66, and posted at stations at least ten days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 148, of date December 3, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 5, 1907.*

SPECIAL PERMISSION ORDER No. 149.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on fluid milk in forty- (40) quart cans, any quantity, from Boonville, N. Y., Alder Creek, N. Y., Remsen, N. Y., Prospect, N. Y., and Barneveld, N. Y., to Holland Patent, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed December 4, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a special rate of twenty-three cents ($0.23) per can, minimum charge twenty-five cents ($0.25), on fluid milk in 40-quart cans, any quantity, from Boonville, N. Y., Alder Creek, N. Y. Remsen, N. Y., Prospect, N. Y., and Barneveld, N. Y., to Holland Patent, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 2935, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 149, of date December 5, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

The above are new rates, there being no rating provided by the official classification on fluid milk.

ALBANY, *December 9, 1907.*

SPECIAL PERMISSION ORDER No. 150.

Order on application of The New York Central and Hudson River Railroad Company, in connection with the Fonda, Johnstown and Gloversville railroad.

Subject: Reissue of N. Y. C. & H. R. R. R. Co. tariff P. S. C., 2 N. Y., No. 2508, naming rates on deer, goat, and sheep skins, dry, in bales, carloads, adding clause as shown in application, permitting stoppage in transit at Albany for United States Government inspection.

Upon application of The New York Central and Hudson River Railroad Company, filed December 7, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Fonda, Johnstown and Gloversville railroad, be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 2508, now authorizing rates on deer, goat, and sheep skins, dry, in bales, carloads, minimum weight 20,000 lbs., from New York, N. Y., and Brooklyn, N. Y., to F., J. & G. R. R. stations specified, and add the clause, as shown in application, permitting stoppage in transit at Albany for United States Government inspection; provided that said reissue shall be filed with this Commission under P. S. C., 2 N. Y., No. 2956, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation. "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 150, of date December 9, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 9, 1907.*

SPECIAL PERMISSION ORDER No. 151.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The New York Central and Hudson River Railroad Company and Fonda, Johnstown and Gloversville railroad.

Subject: Reissue of West Shore railroad tariff P. S. C., 2 N. Y., No. 657, naming rates on deer, goat, and sheep skins, dry, in bales, carloads, adding clause, as shown in application, permitting stoppage in transit at Albany for United States Government inspection.

Upon application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed December 7, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The New York Central and Hudson River Railroad Company and Fonda, Johnstown and Gloversville railroad, be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 657, now authorizing rates on deer, goat, and sheep skins, dry, in bales, carloads, minimum weight 20,000 lbs., from New York, N. Y., and Brooklyn N. Y., to F., J. & G. R. R. stations specified, and add the clause, as shown in application, permitting stoppage in transit at Albany, N. Y., for United States Government inspection; provided that said reissue shall be filed with this Commission under P. S. C., 2 N. Y., No. 721, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 151, of date December 9, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 9, 1907.*

SPECIAL PERMISSION ORDER No. 152.

Order on joint application of The New York Central and Hudson River Railroad Company and West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with the Fonda, Johnstown and Gloversville railroad.

Subject: Reissue of N. Y. C. & H. R. R. R. Co. tariff P. S. C., 2 N. Y., No. 717, and West Shore railroad tariff P. S. C., 2 N. Y., No. 532, naming rates on hides and skins, dry, in less carloads, adding clause, as shown in application, permitting stoppage in transit at Albany for United States Government inspection.

Upon application of The New York Central and Hudson River Railroad Company and West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed December 7, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company and West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with the Fonda, Johnstown and Gloversville railroad, be and are hereby authorized to reissue their tariffs P. S. C., 2 N. Y., Nos. 717 and 522 respectively, now authorizing rates on hides and skins, dry, in less carloads, from New York, N. Y., to stations on the F., J. & G. R. R., as specified, and add the clause, as shown in application, permitting stoppage in transit at Albany, N. Y., for United States Government inspection; provided that said reissues shall be filed with this Commission under N. Y. C. & H. R. R. R. Co., P. S. C., 2 N. Y., No. 2955, and W. S. R. R., P. S. C., 2 N. Y., No. 720, and posted at stations at least three days prior to the effective dates specified in such tariffs. Such tariffs shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 152, of date December 9, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 10, 1907.*

SPECIAL PERMISSION ORDER No. 153.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Permission to issue an additional supplement to P. S. C., 2 N. Y., No. 2407, canceling Supplement No. 1 to P. S. C., 2 N. Y., No. 2407.

Upon application of The New York Central and Hudson River Railroad Company, filed December 7, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue an additional supplement, expiring December 31, 1907, to its tariff P. S. C., 2 N. Y., No. 2407, canceling Supplement No 1 thereto, to restore that portion of the original schedule providing "rules governing milling-in-transit of corn at Oswego, N. Y."; provided that a schedule making such restoration shall be filed with the Commission and posted at stations at least one day prior to the effective date specified in such schedule. Such schedule shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 153, of date December 10, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 11, 1907.*

SPECIAL PERMISSION ORDER No. 154.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on sugar beets, carloads, minimum weight 40,000 lbs., from Sodus, N. Y., and other stations named in application to Lyons, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed December 6, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates as named in application on sugar beets, carloads, minimum weight 40,000 pounds, from Sodus, N. Y., and other stations named in application to Lyons, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 2949, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 154, of date December 11, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 12, 1907.*

SPECIAL PERMISSION ORDER No. 155.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with the New York, Ontario and Western Railway Company.

Subject: Rate on crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 pounds, from Little Falls, N. Y., to Durhamville, N. Y., via Oneida, N. Y., and the New York, Ontario and Western Railway Company.

Upon application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed December 10, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with the New York, Ontario and Western Railway Company, be and is hereby authorized to establish special rate of eighty cents ($0.80) per net ton on crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 pounds, from Little Falls, N. Y., to Durhamville, N. Y., via Oneida, N. Y., and the N. Y., O. & W. Ry. Co.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 723, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 155, of date December 12, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 12, 1907.*

SPECIAL PERMISSION ORDER No. 156.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with the New York, Ontario and Western Railway Company.

Subject: Rates on crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 pounds, from Pattersonville, N. Y., to Durhamville, N. Y., via Oneida, N. Y., and the New York, Ontario and Western Railway Company.

Upon application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed December 10, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with the New York, Ontario and Western Railway Company, be and is hereby authorized to establish special rate of ninety cents ($0.90) per net ton on crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 pounds, from Pattersonville, N. Y., to Durhamville, N. Y., via Oneida, N. Y., and the N. Y., O. & W. Ry. Co.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 722, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 156, of date December 12, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 12, 1907.*

SPECIAL PERMISSION ORDER No. 157.

Order on application of The New York Central and Hudson River Railroad Company, in connection with the New York, Ontario and Western Railway Company.

Subject: Rate on crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 pounds, from Little Falls, N. Y., to Durhamville, N. Y., via Oneida, N. Y., and the New York, Ontario and Western Railway Company.

Upon application of The New York Central and Hudson River Railroad Company, filed December 10, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the New York, Ontario and Western Railway Company, be and is hereby authorized to establish special rate of eighty cents ($0.80) per net ton on crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 pounds, from Little Falls, N. Y., to Durhamville, N. Y., via Oneida, N. Y., and the N. Y., O. & W. Ry. Co.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 257, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 157, of date December 12, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 13, 1907.*

SPECIAL PERMISSION ORDER No. 158.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The Delaware and Hudson Company.

Subject: Rates on crushed stone, carloads, minimum marked capacity of car but not less than 40,000 pounds, from Pattersonville, N. Y., to Waterford, N. Y., and West Waterford, N. Y., via Voorheesville, N. Y., and The D. & H. Co.; and to Mechanicville, N. Y., via South Schenectady, N. Y., and The D. & H. Co.

Upon application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed December 12, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The Delaware and Hudson Company, be and is hereby authorized to establish special rates on crushed stone, carloads, minimum marked capacity of car but not less than 40,000 pounds, of seventy-five cents ($0.75) per net ton from Pattersonville, N. Y., to Waterford, N. Y., and West Waterford, N. Y., via Voorheesville, N. Y., and The Delaware and Hudson Company; and of seventy cents ($0.70) per net ton from Pattersonville, N. Y., to Mechanicville, N. Y., via South Schenectady, N. Y., and The Delaware and Hudson Company; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 730, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 158, of date December 13, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 16, 1907.*

SPECIAL PERMISSION ORDER No. 159.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on terra cotta, carloads, minimum weight 40,000 pounds, from Corning, N. Y., to Albany, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed December 13, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of one dollar and fifty cents ($1.50) per net ton on terra cotta, carloads, minimum weight 40,000 pounds, from Corning, N. Y., to Albany, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 2981, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 159, of date December 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 16, 1907.*

SPECIAL PERMISSION ORDER No. 160.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on wrapping paper, carloads, minimum weight as per official classification, from Fulton, N. Y., to Norwood, N. Y., and other stations named in application.

Upon application of The New York Central and Hudson River Railroad Company, filed December 13, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on wrapping paper, carloads, minimum weight as per official classification, special rate of eight cents ($0.08) per 100 pounds from Fulton, N. Y., to Norwood, N. Y., and Gouverneur, N. Y.; and special rate of six cents ($0.06) per 100 pounds from Fulton, N. Y., to Watertown, N. Y., Brownville, N. Y., Felts Mills, N. Y., Carthage, N. Y., and Adams, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 2974, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 160, of date December 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 16, 1907.*

SPECIAL PERMISSION ORDER No. 161.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The New York Central and Hudson River Railroad Company.

Subject: Rate on crushed stone, carloads, minimum weight marked capacity of car but not less than 40,000 pounds, from Pattersonville, N. Y., to Oneida, N. Y., via N. Y. C. & H. R. R. R. Co.

Upon application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed December 14, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with The New York Central and Hudson River Railroad Company, be and hereby is authorized to establish special rate of fifty-five cents ($0.55) per net ton on crushed stone, carloads, minimum marked capacity of car but not less than 40,000 pounds, from Pattersonville, N. Y., to Oneida, N. Y., via N. Y. C. & H. R. R. R. Co.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 729, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 161, of date December 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 16, 1907.*

SPECIAL PERMISSION ORDER No. 162.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on wood pulp, carloads, minimum weight 40,000 pounds, from Carthage, N. Y., to Troy, N. Y., and other stations named in application, except Norfolk, N. Y., and Raymondville, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed December 14, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates as named in application on wood pulp, carloads, minimum weight 40,000 pounds, from Carthage, N. Y., to Troy, N. Y., and other stations named in application, except Norfolk, N. Y., and Raymondville, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 2976, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 162, of date December 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 16, 1907.*

SPECIAL PERMISSION ORDER No. 163.

Order on application of The New York Central and Hudson River Railroad Company, in connection with the Norwood and St. Lawrence railway.

Subject: Rate on wood pulp, carloads, minimum weight 40,000 pounds, from Carthage, N. Y., to Norfolk, N. Y., and Raymondville, N. Y., via Norwood and St. Lawrence railway.

Upon application of The New York Central and Hudson River Railroad Company, filed December 14, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Norwood and St. Lawrence railway, be and is hereby authorized to establish special rate of five and one-half cents ($0.05½) per 100 pounds on wood pulp, carloads, minimum weight 40,000 pounds, from Carthage, N. Y., to Norfolk, N. Y., and Raymondville, N. Y., via Norwood and St. Lawrence Railway Company; provided that a tariff naming said rate shall be filed with this Commission under proper P. S. C., 2 N. Y., number, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 163, of date December 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 16, 1907.*

SPECIAL PERMISSION ORDER No. 164.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on wrapping paper, carloads, minimum weight as per official classification, from Watertown, N. Y., to Norwood, N. Y., and other stations named in application, except Norfolk and Raymondville, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed December 14, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates named in application on wrapping paper, carloads, minimum weight as per official classification, from Watertown, N. Y., to Norwood, N. Y., and other stations named in application, except Norfolk, N. Y., and Raymondville, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 2978, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 164, of date December 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 16, 1907.*

SPECIAL PERMISSION ORDER No. 165.

Order on application of The New York Central and Hudson River Railroad Company, in connection with the Norwood and St. Lawrence railway.

Subject: Rate on wrapping paper, carloads, minimum weight as per official classification, from Watertown, N. Y., to Norfolk, N. Y., and Raymondville, N. Y., via Norwood and St. Lawrence railway.

Upon application of The New York Central and Hudson River Railroad Company, filed December 14, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Norwood and St. Lawrence railway, be and is hereby authorized to establish special rate of seven and one-half cents ($0.07½) per 100 pounds on wrapping paper, carloads, minimum weight as per official classification, from Watertown, N. Y., to Norfolk, N. Y., and Raymondville, N. Y., via Norwood and St. Lawrence railway; provided that a tariff naming said rate shall be filed with this Commission under proper P. S. C., 2 N. Y., number, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 165, of date December 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 16, 1907.*

SPECIAL PERMISSION ORDER No. 166.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on iron and steel articles, carloads, from Syracuse, N. Y., to Fulton, N. Y., and Oswego, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed December 14, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of four cents ($0.04) per 100 pounds on iron and steel articles, carloads, as enumerated in P. S. C., 2 N. Y., No. 2413, and subsequent issues thereof, from Syracuse, N. Y., to Fulton, N. Y., and Oswego, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 2990, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten

days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 166, of date December 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 16, 1907.*

SPECIAL PERMISSION ORDER No. 167.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on grain and grain products, as per P. S. C., 2 N. Y., No. 2572, from Lockport, N. Y., to Middleport, N. Y., and Gasport, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed December 14, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of three cents ($0.03) per 100 pounds on grain and grain products as per P. S. C., 2 N. Y., No. 2572, from Lockport, N. Y., to Middleport, N. Y., and Gasport, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 2979, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this application, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 167, of date December 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 18, 1907.*

SPECIAL PERMISSION ORDER No. 168.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on cheese, in boxes, any quantity, from Wallington, N. Y., and other stations named in application to Syracuse, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed December 17, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates as named in application on cheese, in boxes, any quantity, from Wallington, N. Y., and other stations named in application to Syracuse, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 2977, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 168 (amended), of date December 18, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 16, 1907.*

SPECIAL PERMISSION ORDER No. 169.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rates on iron and steel articles enumerated in P. S. C., 2 N. Y., No. 2413, or subsequent issues thereof, from Syrcause, N. Y., to stations named in P. S. C., 2 N. Y., No. 2737, except those named in application.

Upon application of The New York Central and Hudson River Railroad Company, filed December 14, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates as per application on iron and steel articles, carloads and less carloads, as enumerated in tariff P. S. C., 2 N. Y., No. 2413, or subsequent issues thereof, from Syracuse, N. Y., to stations shown in P. S. C., 2 N. Y., No. 2737, except Utica, N. Y., Rome, N. Y., Rochester, N. Y., Charlotte, N. Y., and Suspension Bridge, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 2975, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 169, of date December 16, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 17, 1907.*

SPECIAL PERMISSION ORDER No. 170.

Order on application of the Little Falls and Dolgeville Railroad Company.

Subject: Permission to reissue tariff P. S. C., 2 N. Y., No. 24, eliminating Salisbury Center, N. Y.

Upon application of the Little Falls and Dolgeville Railroad Company, filed December 16, 1907, and for good cause shown, it is

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 24, eliminating therefrom the station Salisbury Center, N. Y.; provided that a tariff making said change shall be filed with this Commission under P. S. C., 2 N. Y., No. 33, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 170, of date December 17, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 17, 1907.*

SPECIAL PERMISSION ORDER No. 171.

Order on application of the Little Falls and Dolgeville Railroad Company.

Subject: Permission to reissue tariff P. S. C., 2 N. Y., No. 29, eliminating Salisbury Center, N. Y.

Upon application of the Little Falls and Dolgeville Railroad Company, filed December 16, 1907, and for good cause shown, it is

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 29, eliminating therefrom the station Salisbury Center, N. Y.; provided that a tariff making said change shall be filed with this Commission under P. S. C., 2

N. Y., No. 34, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 171, of date December 17, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 17, 1907.*

SPECIAL PERMISSION ORDER No. 172.

Order on application of the Little Falls and Dolgeville Railroad Company.

Subject: Permission to reissue tariff P. S. C., 2 N. Y., No. 22, eliminating Salisbury Center, N. Y.

Upon application of the Little Falls and Dolgeville Railroad Company, filed December 16, 1907, and for good cause shown, it is

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 22, eliminating therefrom the station Salisbury Center, N. Y.; provided that a tariff making said change shall be filed with this Commission under P. S. C., 2 N. Y., No. 32, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 172, of date December 17, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 17, 1907.*

SPECIAL PERMISSION ORDER No. 173.

Order on application of the Little Falls and Dolgeville Railroad Company.

Subject: Permission to cancel tariff P. S. C., 2 N. Y., No. 19, naming class rates between Salisbury Center, N. Y., and Dolgeville, N. Y.

Upon application of the Little Falls and Dolgeville Railroad Company, filed December 16, 1907, and for good cause shown, it is

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to issue cancellation notice canceling its tariff P. S. C., 2 N. Y., No. 19; provided that said notice shall be filed with this Commission and posted at stations at least one day prior to the effective date specified therein. Such notice shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 173, of date December 17, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 17, 1907.*

SPECIAL PERMISSION ORDER No. 174.

Order on application of the Little Falls and Dolgeville Railroad Company.

Subject: Permission to cancel tariff P. S. C., 2 N. Y., No. 20, naming rates from Little Falls, N. Y., to Salisbury Center, N. Y.

Upon application of the Little Falls and Dolgeville Railroad Company, filed December 16, 1907, and for good cause shown, it is

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to issue cancellation notice canceling its tariff P. S. C.,

2 N. Y., No. 20; provided that said notice shall be filed with this Commission and posted at stations at least one day prior to the effective date specified therein. Such notice shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 174, of December 17, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 17, 1907.*

SPECIAL PERMISSION ORDER No. 175.

Order on application of the Little Falls and Dolgeville Railroad Company.

Subject: Permission to cancel tariff P. S. C., 2 N. Y., No. 18, naming class from Salisbury Center, N. Y., to Little Falls, N. Y.

Upon application of the Little Falls and Dolgeville Railroad Company, filed December 14, 1907, and for good cause shown, it is

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to issue cancellation notice canceling its tariff P. S. C., 2 N. Y., No. 18, naming class rates between Salisbury Center, N. Y., and Little Falls, N. Y.; provided that said notice shall be filed with this Commission and posted at stations at least one day prior to the effective date specified therein. Such notice shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 175, of date December 17, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 17, 1907.*

SPECIAL PERMISSION ORDER No. 176.

Order on application of the Little Falls and Dolgeville Railroad Company.

Subject: Permission to cancel tariff P. S. C., 2 N. Y., No. 21, naming rates from Salisbury Center, N. Y., to Little Falls, N. Y.

Upon application of the Little Falls and Dolgeville Railroad Company, filed December 16, 1907, and for good cause shown, it is

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to issue cancellation notice canceling its tariff P. S. C., 2 N. Y., No. 21, naming rates from Salisbury Center, N. Y., to Little Falls, N. Y.; provided that said notice shall be filed with this Commission and posted at stations at least one day prior to the effective date specified therein. Such notice shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 176, of date December 17, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 18, 1907.*

SPECIAL PERMISSION ORDER No. 177.

Order on application of the New York Central and Hudson River Railroad Company.

Subject: Rate on commodities specified in N. Y. C. & H. R. R. R. Co. tariff P. S. C., 2 N. Y., No. 2946, from Gouverneur, N. Y., to Hailsboro, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed December 17, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of thirty cents ($0.30) per net ton on commodities specified in their tariff P. S. C., 2 N. Y., No. 2946, from Gouverneur, N. Y., to Hailsboro, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3013, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 177, of date December 18, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 18, 1907.*

SPECIAL PERMISSION ORDER No. 178.

Order on application of The Long Island Railroad Company.

Subject: Permission to reissue tariff P. S. C., 2 N. Y., No. 114, to correct typographical error in sixth class rate named between Pier 32 East river, New York and East Moriches, N. Y., Eastport, N. Y., Speonk, N. Y., Westhampton, N. Y., and Quogue, N. Y.

Upon the application of The Long Island Railroad Company, filed December 17, 1907, and for good cause shown, it is

Ordered: That The Long Island Railroad Company be and is hereby authorized to reissue their tariff P. S. C., 2 N. Y., No. 114, in order to correct typographical error in showing sixth class rate between Pier 32 East river, New York, and East Moriches, N. Y., Eastport, N. Y., Speonk, N. Y., Westhampton, N. Y., and Quogue, N. Y., as seven cents ($0.07) instead of nine cents ($0.09); provided that a tariff naming said change shall be filed with this Commission under P. S. C., 2 N. Y., No. 128, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 178, of date December 18, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 19, 1907.*

SPECIAL PERMISSION ORDER No. 179.

Order on application of the Erie Railroad Company.

Subject: Rate on fluid milk, in cans, from Cohecton, N. Y., to Deposit, N. Y.

Upon application of the Erie Railroad Company, filed December 19, 1907. and for good cause shown, it is

Ordered: That the Erie Railroad Company be and is hereby authorized to establish special rate of ten cents ($0.10) per can of forty (40) quarts. on fluid milk, from Cohecton, N. Y., to Deposit, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 590, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 179, of date December 19, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 19, 1907.*

SPECIAL PERMISSION ORDER No. 180.

Order on application of The Delaware and Hudson Company.

Subject: Rates on ice, carloads, minimum weight marked capacity of car, between stations on Saratoga division in the State of New York as named in application.

Upon application of The New York Central and Hudson River Railroad 16, 1907, and for good cause shown, it is

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish special rates as named in application on ice, carloads, minimum weight marked capacity of car, between stations on the Saratoga division in the State of New York as named in application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 1372, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 180, of date December 19, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 20, 1907.*

SPECIAL PERMISSION ORDER No. 181.

Order on application of The New York Central and Hudson River Railroad Company, in connection with The Delaware, Lackawanna and Western Railroad Company.

Subject: Rate on scrap iron, carloads, minimum weight as specified in P. S. C., 2 N. Y., No. 2413, from Auburn, N. Y., Clyde, N. Y., Canastota, N. Y., Geneva, N. Y., Rome, N. Y., Oneida, N. Y., and Waterloo, N. Y., to Cortland, N. Y., via Syracuse, N. Y., and D., L. & W. R. R.

Upon application of The New York Central and Hudson River Railroad Company, filed December 19, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Delaware, Lackawanna and Western railroad, be and is hereby authorized to establish special rate of one dollar and twenty-five cents ($1.25) per gross ton on scrap iron, carloads, minimum weight as specified in N. Y. C. & H. R. R. R. Co., tariff P. S. C., 2 N. Y., No. 2413, from Auburn, N. Y., Clyde, N. Y., Canastota, N. Y., Geneva, N. Y., Rome, N. Y., Oneida, N. Y., and Waterloo, N. Y., to Cortland, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 2980, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 181, of date December 20, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 21, 1907.*

SPECIAL PERMISSION ORDER No. 182.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Permission to make effective tariff N. Y. C. & H. R. R. R. Co. issue No. E-470, naming rates on general groceries, including fruit, tobacco, and candy, and excepting bananas, less carloads, and sugar, from New York city stations named in application to Watertown, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed December 20, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to make effective December 23, 1907, their tariff No. E-470, naming rates on general groceries, including fruit, tobacco, and candy, and excepting bananas, less carloads, and sugar, from New York city stations named in application to Watertown, N. Y.; provided that same is filed with this Commission under proper P. S. C., 2 N. Y., number, and posted at stations. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 182, of date December 21, 1907."

This order is granted upon the assurances of Mr. I. H. Hubbel, general freight agent, named in letter of December 19, 1907, as follows:

First. That copy of the tariff was not filed with the Commission prior to November 1, 1907, through oversight.

Second. That the rates named in the tariff have been continuously in force since January 1, 1907, without change.

Third. That on or before January 10, 1908, a superseding tariff will be issued naming specific articles upon which rates will apply.

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 23, 1907.*

SPECIAL PERMISSION ORDER No. 183.

Order on application of The New York Central and Hudson River Railroad Company.

Subject: Rate on pulp wood, carloads, minimum weight 40,000 pounds, from Boonville, N. Y., to Lyons Falls, N. Y.

Upon application of The New York Central and Hudson River Railroad Company, filed December 21, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and hereby is authorized to establish special rate of two cents ($0.02) per 100 pounds on pulp wood, carloads, minimum weight 40,000 pounds, from Boonville, N. Y., to Lyons Falls, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3045, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 183, of date December 23, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 31, 1907.*

SPECIAL PERMISSION ORDER No. 184.

Order on application of The New York Central and Hudson River Railroad Company, in connection with the New York, Ontario and Western Railway Company.

Subject: Reissue of tariff P. S. C., 2 N. Y., No. 2993, naming rates on wall plaster, carloads, minimum weight 40,000 pounds, from Syracuse, N. Y., and stations intermediate between Syracuse, N. Y., and Oneida, N. Y., to Apex, N. Y., and other stations on N. Y., O. & W. Ry. named in application, via Oneida, N. Y., to correct erroneous wording in tariff.

Upon application of The New York Central and Hudson River Railroad Company, filed December 27, 1907, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the New York, Ontario and Western Railway Company, be and is hereby authorized to issue a tariff superseding and canceling P. S. C., 2 N. Y., No. 2993, naming rates on wall plaster, carloads, minimum weight 40,000 pounds, from Syracuse, N. Y., and stations to be named in the tariff which are intermediate between Syracuse, N. Y., and Oneida, N. Y., to Apex, N. Y., and other stations on N. Y., O. & W. Ry. Co. named in application, via Oneida, N. Y.; provided that such tariff shall be filed with this Commission and posted at stations within ten days from the date of this order, with effective date of January 20, 1908, and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 184, of date December 31, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 31, 1907.*

SPECIAL PERMISSION ORDER No. 185.

Order on application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with the New York, Ontario and Western Railway Company.

Subject: Reissue of tariff P. S. C., 2 N. Y., No. 740, naming rates on wall plaster, carloads, minimum weight 40,000 pounds, from Syracuse, N. Y., and stations intermediate between Syracuse, N. Y., and Oneida, N. Y., to Apex, N. Y., and other stations on N. Y., O. & W. Ry. named in application, via Oneida, N. Y., to correct erroneous wording in tariff.

Upon application of the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), filed December 27, 1907, and for good cause shown, it is

Ordered: That the West Shore railroad (N. Y. C. & H. R. R. R. Co., lessee), in connection with the New York, Ontario & Western Railway Company, be and is hereby authorized to issue a tariff superseding and canceling P. S. C., 2 N. Y., No. 740, naming rates on wall plaster, carloads, minimum weight 40,000 pounds, from Syracuse, N. Y., and stations to be named in the tariff which are intermediate between Syracuse, N. Y., and Oneida, N. Y., to Apex, N. Y., and other stations on N. Y., O. & W. Ry. Co. named in application, via Oneida, N. Y.; provided that such tariff shall be filed with this Commission and posted at stations within ten days from the date of this order, with effective date of January 20, 1908, and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 185, of date December 31, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

PERMITS GOVERNING EXPRESS TARIFFS.

ALBANY, *October 3, 1907.*

SPECIAL PERMISSION ORDER No. E-1.

Application of The Long Island Railroad Company, Long Island Express.

Subject: Shipments of fish, packed in sugar boxes of full, three-quarter, and half size; or in shad boxes, full, or half size; or in barrels; from all Long Island Express offices on the Long Island railroad to Manhattan, below Seventy-second street, New York.

Upon the application of The Long Island Railroad Company, Long Island Express, filed October 3, 1907, and for good cause shown, it is

Ordered: That The Long Island Railroad Company, Long Island Express, be and is hereby authorized to cancel, on one day's notice, Tariff Notice No. 356, issued September 28, 1906, to take effect November 1st, 1907, and to establish in its stead special rates on shipments of fish from all Long Island Express offices on the Long Island railroad to Manhattan, below Seventy-second street, New York, as follows, viz:

When packed in sugar boxes, full size.....	$2 00 per box
When packed in sugar boxes, three-quarter size.....	1 50 per box
When packed in sugar boxes, half size.....	75 per box
When packed in shad boxes, full size.....	1 20 per box
When packed in shad boxes, half size.....	60 per box
When packed in barrels	1 00 per barrel

Provided that a tariff naming said rates shall be filed with this Commission and published at offices at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and published within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. E-1, of date October 3, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *November 29, 1907.*

SPECIAL PERMISSION ORDER No. E-2.

Order on application of the Rochester and Eastern Rapid Railway.

Subject: Permission to correct typographical errors in Rate Tables Nos. 1 and 2, on page 4 of Local Express Tariff P. S. C., 2 N. Y., No. 1.

Upon application of the Rochester and Eastern Rapid Railway, filed November 27, 1907, and for good cause shown, it is

Ordered: That the Rochester and Eastern Rapid Railway be and is hereby authorized to correct typographical errors, as shown in application, in Rate Tables Nos. 1 and 2, on page 4 of its Local Express Tariff P. S. C., 2 N. Y., No. 1, and also provide rate of forty cents ($0.40) per 100 lbs. in Rate Table No. 2 on shipments over 25 to 45 lbs.; provided a tariff making such change shall be filed with the Commission under P. S. C., 2 N. Y., No. 2, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. E-2, of date November 29, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 4, 1907.*

SPECIAL PERMISSION ORDER No. E-3.

Order on application of the Electric Express Company.

Subject: To reissue its tariff P. S. C., 2 N. Y., No. 3, on account of typographical error in the arrangement and grouping of rates in said schedule which it is necessary to correct on less than statutory notice in order to give service to shippers as advertised.

Upon application of the Electric Express Company, filed December 4, 1907, and for good cause shown, it is

Ordered: That the Electric Express Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 3, as shown in application, on account of typographical error in the arrangement and grouping of rates in said schedule; provided that a tariff making said change shall be filed with this Commission under P. S. C., 2 N. Y., No. 4, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within two days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. E-3, of date December 4, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

ALBANY, *December 18, 1907.*

SPECIAL PERMISSION ORDER No. E-4.

Order on application of the Hudson Valley Railway Company.

Subject: Permission to establish rates on commodities named in application for which the official classification provides no rating.

Upon application of the Hudson Valley Railway Company, filed December 17, 1907, and for good cause shown, it is

Ordered: That the Hudson Valley Railway Company be and is hereby authorized to establish special rates on commodities named in application; provided that a schedule naming said rates shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 1, and posted at stations at least six days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. E-4, of date December 18, 1907."

By the Commission:

(Signed) J. S. KENNEDY,
Secretary.

[SEAL]

APPENDIX I.

Rules of Practice before the Public Service Commission, Second District.

Adopted, Pursuant to Section 20, Public Service Commissions Law, and Issued as Circular No. 19.

APPENDIX I.

RULE 1.

General Sessions.— The general sessions of the Commission for hearings will be held at its hearing room in the Capitol at Albany, at two o'clock in the afternoon of the days appointed for hearings. Special sessions may be held at other times and places when ordered by the Commission.

RULE 2.

Complaints.— No particular form of complaint is required. The name of the corporation complained against must be stated in full, and the full name and post office address of the complainant, with the full name and address of his attorney or counsel, if any, must be given. The act or omission complained of, together with the facts and conditions generally relating thereto, must be stated with precision, and if such act or omission is claimed to be a violation of any statute, attention should be called to the section of the statute relied upon. Complaints need not be verified.

RULE 3.

Complaints under subdivision 2, section 48 of the Public Service Commissions Law.— Upon the presentation of a complaint, the charges in which are of such a nature as to admit of satisfaction under the provisions of subdivision 2, section 48 of the Public Service Commissions Law, an order will be made as of course and served with a copy of the complaint upon the person or corporation complained against, requiring that the matters complained of be satisfied, or that the charges be answered in writing, within twenty days from the day of the service of the order. A shorter time for satisfaction or answer may be specified.

RULE 4.

Answer to complaints under subdivision 2, section 48 of the Public Service Commissions Law.— The person or corporation complained against must make satisfaction in the manner provided by statute, and notify the Commission or make answer within the time specified in the order. The original answer must be filed with the secretary of the Commission at Albany, and a copy thereof be served by the person or corporation answering upon the complainant, either personally or by mail. Proof of service of such copy must be filed with the secretary of the Commission, and the complainant must forthwith, upon receipt of such copy, notify the secretary of such receipt.

RULE 5.

Hearings upon answer to complaints under section 48 of the Public Service Commissions Law.—After the filing of answer to a complaint as provided in Rule 4, a time and place for a hearing upon the issue made will be appointed, notice of which will be served upon all parties, and the proceedings thereafter will be as the Commission shall from time to time direct.

RULE 6.

Other complaints, including those under subdivision 2, section 27 of the Public Service Commissions Law.— Complaints, which in the opinion of the Commission are not of such nature as to permit their satisfaction under the provisions of section 48 of the Public Service Commissions Law, may be investigated by it in such manner as it deems proper, without notice to the person or corporation complained against. A copy of the complaint and of the report, if any, upon the *ex parte* investigation, may be served by mail upon the party or corporation complained against, who will be required to make answer to the same within twenty days. Upon the receipt of such answer, a time and place may be appointed for a public hearing upon the complaint and answer, notice of which will be served by mail to all parties, and the proceedings thereafter will be as the Commission shall from time to time direct.

RULE 7.

Answers.— An answer must specifically admit or deny the material allegations of the complaint. If any or all of the allegations of the complaint are denied, the answer must set forth the facts as claimed to be by the party answering.

RULE 8.

Notice in nature of demurrer.— A person or corporation complained against, who deems the complaint insufficient to show a breach of legal duty, may, instead of answering or formally demurring, serve on the complainant and the Commission notice that it demands a hearing on the complaint, and in such case the facts stated in the complaint will be deemed admitted. Upon receiving such notice of hearing, a time and place for the same will be appointed, notice of which will be served upon all parties. Filing an answer, however, will not be deemed an admission of the sufficiency of the complaint, but a motion to dismiss for insufficiency may be made at the hearing.

RULE 9.

Amendments.— Amendments to any complaint, petition, answer, or other paper filed in any proceeding or investigation, may be allowed by the Commission, in its discretion.

RULE 10.

Adjournments and extensions of time.— Adjournments and extensions of time may be granted upon the application of any party, in the discretion of the Commission. Applications for extensions of time should be accompanied by an affidavit showing a necessity therefor.

RULE 11.

Stipulations.— The parties to any proceeding or investigation before the Commission may, by stipulation in writing filed with the secretary, agree upon the facts or any portion thereof involved in the controversy, which stipulation shall be regarded and used as evidence on the hearing. It is desirable that the facts be thus agreed upon whenever practicable.

RULE 12.

Practice on hearings.— The complainant must in all cases establish the facts alleged to constitute a violation of the law, unless the defendant admits the same or fails to answer the complaint. The defendant must also give evidence of the facts alleged in the answer, unless admitted by the com-

plainant, and must fully disclose its defense at the hearing. Witnesses will be examined orally before the Commission unless the facts be stipulated. In case of failure to answer, the Commission will take such proof of the facts as may be deemed proper and reasonable, and make such order thereon as the circumstances of the case appear to require.

RULE 13.

Subpœnas.—Subpœnas requiring the attendance of witnesses from any place in the State to any designated place of hearing, for the purpose of taking the testimony of such witnesses orally before the Commission or one or more Commissioners, may, upon the application of either party, or upon the order of the Commission directing the taking of such testimony, be issued by any member of the Commission, or by the secretary. The Commission may, as a condition of issuing a subpœna, require the party applying therefor to prepay the fees of the witnesses required, as prescribed by section 19 of the Public Service Commissions Law.

Subpœnas for the production of books, papers, or documents (unless directed to issue by the Commission upon its own motion) will be issued only upon application in writing. When it is sought to compel witnesses, not parties to a proceeding, to produce such documentary evidence, the application must be sworn to, and must specify, as nearly as may be, the books, papers, or documents desired; that the same are in the possession of the witness, or under his control, to the information and belief of the affiant, stating such information or the reasons of such belief; and also by facts stated show that they contain material evidence necessary to the applicant. Applications to compel a party to the proceeding to produce books, papers, or documents need only set forth in a general way the books, papers, or documents desired to be produced, and that the applicant believes they will be of service in the determination of the case.

RULE 14.

Documentary evidence.—Where relevant and material matter offered in evidence is embraced in a written or printed statement, book, or document of any kind, containing other matter not material or relevant and not intended to be put in evidence, such statement, book, or document in whole shall not be received or allowed to be filed, but counsel or other party offering the same shall present in convenient and proper form for filing, a copy of such material and relevant matter, and that only shall be received and allowed to be filed as evidence and made a part of the record; provided, however, if practicable, such matter may be read and taken down by the stenographer as a part of the record.

RULE 15.

Briefs.—Upon all contested hearings, unless otherwise specially ordered, printed briefs shall be filed on behalf of the parties. They shall contain an abstract of the evidence relied upon by the party filing the same; and in such abstract, reference shall be made to the pages of the minutes where the evidence appears. The abstract of the evidence shall follow the statement of the case and precede the argument. Briefs shall be filed with the Commission and served upon the adverse party or parties by the complainant within fifteen days after the taking of testimony has been concluded, and by the other party or parties within ten days thereafter, and the complainant shall have five days additional time for reply. Different times may be specially ordered in any case. Ten copies of each brief shall be filed for the use of the Commission, with the secretary, and shall be accompanied by an affidavit showing service upon the adverse party. Three copies shall, in each case, be served upon the adverse party. Briefs and other papers required to be printed shall be ten inches long and seven inches wide, with the printed page seven inches long and three and one-half inches wide.

RULE 16.

Rehearings.—Applications for reopening a case after final submission, or for rehearing after decision made by the Commission, must be by verified petition, and must state specifically the grounds upon which the application is based. If such application be to reopen the case for further evidence, the nature and purpose of such evidence must be briefly stated, and the same must not be merely cumulative. If the application be for a rehearing, the petition must specify the findings of fact and conclusions of law claimed to be erroneous, with a brief statement of the grounds of error; and when any decision, order, or requirement of the Commission is sought to be reversed, changed, or modified on account of facts and circumstances arising subsequent to the hearing, or of consequences resulting from compliance with such decision, order, or requirement which are claimed to justify a reconsideration of the case, the matters relied upon by the applicant must be fully set forth.

RULE 17.

Service and effect of orders.—The service and effect of orders are prescribed by section 23 of the Public Service Commissions Law.

RULE 18.

Applications for consent, etc., to be by petition.—All applications for the consent, permission, certificate, or authorization of the Commission, in cases where such consent, permission, certificate, or authorization is required by law, shall be by petition, signed by the applicant and verified by the applicant, if a person; if the applicant be a corporation, the petition shall be verified by some officer authorized by law to verify a pleading in a court of record, and the verification shall be in the form required by the code of procedure for pleadings in such courts.

The petition must, in all cases, set forth the full name and post office address of the applicant, and of its attorney or counsel, if any there be; and if the applicant be a corporation other than municipal, the date of incorporation and term of corporate existence. It must contain a request for the specific consent or authorization desired, with a reference to the particular provision of law requiring the same.

RULE 19.

Financial condition; term as used in these rules defined.—Whenever by these rules a petitioner is required to set forth or disclose its financial condition, such financial condition shall be given, so far as practicable, in appropriate schedules annexed to and referred to and properly designated in the petition. Such schedules shall show the following: (1) Amount and kinds of stock authorized; (2) amount and kinds of stock issued; (3) terms of preference of all preferred stock; (4) brief description of each mortgage upon property of petitioner, giving date of execution, name of trustee, amount of indebtedness authorized to be secured thereby, and amount of indebtedness actually secured; (5) number and amount of bonds authorized and issued, describing each class separately, giving date of issue, par value, rate of interest, date of maturity, and how secured; (6) other indebtedness, giving same by classes, and describing security, if any; (7) amount of interest paid during previous fiscal year and rate thereof: if different rates were paid, amount paid at each rate; (8) amount of dividends paid during previous fiscal year and rate thereof; (9) detailed statement of earnings and expenditures for, and balance sheet showing condition at close of, last fiscal year.

RULE 20.

Applications for permission and approval to exercise franchise under section 53, Public Service Commissions Law, and for certificate of public convenience and a necessity under section 59, Railroad Law.—Applications for permission and approval to exercise franchises and privileges under section 53 of the

Public Service Commissions Law, and applications for a certificate of public convenience and a necessity under section 59 of the Railroad Law, may be embraced in one petition, and may be carried on in one proceeding. In all such applications the petitioner shall comply with all of the provisions of sections 59 and 60 of the Railroad Law; and in addition thereto the petition must state concisely:

1. The route of proposed railroad, street railroad, or extension, giving the names of the cities, villages, or towns in and through which it is to be constructed.

2. The name of each railroad and street railroad corporation with which the proposed construction is likely to compete.

3. The facts showing the proposed construction to be required by public convenience and a necessity.

4. All other facts deemed material by the petitioner.

5. If the applicant has not exercised any of the powers or privileges of a corporation, it must set forth the manner in which it proposes to finance the proposed construction.

6. If the applicant has theretofore exercised the powers of a corporation, it must set forth the manner in which it proposes to finance the proposed construction, and also its financial condition.

The petition must be accompanied by a copy of the articles of incorporation of the petitioner, certified by the Secretary of State, and of all amendments thereto, maps and profiles showing the location and route of the proposed construction, and proof of compliance with all conditions required by law precedent to such application.

RULE 21.

Applications under section 54 of the Public Service Commissions Law for approval of assignment, transfer, or lease of franchise.— In all applications under section 54, for approval of assignment, transfer, or lease of franchise, or right to or under any franchise to own or operate a railroad or street railroad, or for approval of any contract or agreement with reference to or affecting any such transfer or right, the petition must be made by all the parties to the proposed transaction, and must show:

1. The financial condition of each applicant.

2. In detail, the reasons upon the part of each applicant for making the proposed assignment, transfer, lease, contract, or agreement, and all the facts warranting the same, and all facts which should be known by the Commission to enable it to pass upon the application. The petition must be accompanied by copies of the articles of incorporation of each applicant, certified by the Secretary of State, and of the franchise, contract, or agreement annexed as schedules thereto.

RULE 22.

Applications under section 54 of the Public Service Commissions Law for authorization to purchase or acquire capital stock of any domestic railroad corporation, street railroad corporation, or other common carrier.— In all applications for authorization to purchase or acquire capital stock of any domestic railroad corporation, street railroad corporation, or other common carrier, the petition must show:

1. In detail, the reasons why the applicant desires to make the proposed purchase, and all the facts warranting the same, including amount of such stock already owned by the applicant.

2. The market value of the stock proposed to be purchased, with highest and lowest price during a period of at least one year prior to the making of the petition; dividends, if any, paid for a period of five years prior to making of petition; the price proposed to be paid; the name of the present owner, and the terms of payment.

3. In case of an application for authorization to purchase stock of a certain description as opportunity may offer, the reasons therefor in full detail, with a statement of market values and dividends paid for at least five years prior to making of petition, and the maximum price which the petitioner should be allowed to pay.

4. In all cases, there must be submitted a copy of the articles of incorporation of the corporation whose stock is proposed to be purchased, certified by the Secretary of State, and a statement showing the amount of stock issued and the financial condition of the corporation issuing the same.

RULE 23.

Applications for consent to mortgage property and franchises pursuant to subdivision 10, section 4 of the Railroad Law.—An application for consent to mortgage property and franchises pursuant to subdivision 10, section 4 of the Railroad Law, may be embraced in one petition, and may be carried on in one proceeding, with an application for an order authorizing the issue of bonds or other evidence of indebtedness to be secured by the proposed mortgage. If the application be for consent to mortgage only, it will be governed by the provisions of rule 24. In every case, the petition must be accompanied by proof of the consent of the stockholders required by law, and by a copy of the proposed mortgage.

RULE 24.

Applications under section 55 of the Public Service Commissions Law for an order authorizing the issue of stocks, bonds, notes, or other evidence of indebtedness.— In applications under section 55 of the Public Service Commissions Law for an order authorizing the issue of stocks, bonds, notes, or other evidence of indebtedness, the petition must show:

1. Amount and terms of proposed issue, and purposes for which the proceeds are to be used.

2. If the purpose is the acquisition of property, a general description of the property, from whom to be acquired, and terms of the contract for such acquisition if any has been made. Names of owners of property to be acquired for right of way need not be set out, but a general description of the proposed route should be given.

3. If the purpose is for the construction, completion, extension, or improvement of facilities, the existing facilities must be concisely set forth as well as those proposed.

4. If the purpose is the improvement or maintenance of service, the existing service must be concisely set forth as well as the improvements or betterments proposed.

5. If the purpose is the refunding of obligations, such obligations must be described fully, showing amount, date of issue, date of maturity, and all other material facts concerning the same.

6. The financial condition of the applicant.

7. If the application is for authorization of bonds to be secured by an existing mortgage, amount of bonds, if any, already issued upon such security, and amount and application made of proceeds of same.

8. If the proceeds are to be used for construction purposes, the affidavit of a competent person must be annexed showing the estimated cost of such construction in reasonable detail.

9. In applications for the issue of stock, the petition must state that no franchise is capitalized directly or indirectly, except as the same is authorized by section 55 of the Public Service Commissions Law. In case it is proposed to capitalize any franchise as therein authorized, there shall be filed with the petition a verified copy of such franchise, and an affidavit of the proper officer of the state or municipality granting the same, showing the amount that has been actually paid for such franchise.

10. If any contract, agreement, or arrangement, verbal or written, has been made to sell the stock, bonds, notes, or other evidence of indebtedness proposed to be issued, such contract, agreement, or arrangement must be set out in full, with copy of the same, if in writing.

11. If no contract, agreement, or arrangement has been made for the sale or disposal of the stock, bonds, notes, or other evidence of indebtedness proposed to be issued, there must be annexed an affidavit of a competent person showing the amount which can probably be realized from the sale or disposition thereof, and the reasons for the opinion of the affiant.

There must be annexed to the petition an affidavit made by at least three of the directors of the applicant, showing that it is the intention of the applicant in good faith to use the proceeds of the stock, bonds, notes, or other evidence of indebtedness proposed to be issued, for the purposes set forth in the petition.

RULE 25.

Applications under section 55, for authorization, etc., continued.— The order granting an application, or any part thereof, under section 55, shall contain the following provisions:

1. Prescribing the purposes for which the proceeds of the security or obligation authorized shall be used.
2. Directing the applicant to report under oath the sale or sales of the obligations authorized, the terms and conditions of such sale, and the amount realized therefrom.
3. That the applicant shall make a verified report at least once every six months, showing in detail the use and application by it of the moneys so realized, until such moneys shall have been fully expended.
4. Such other provisions as the Commission may deem necessary or appropriate in each case.

RULE 26.

Applications under section 68 of the Public Service Commissions Law by a gas or electrical corporation.— In applications under section 68 of the Public Service Commissions Law, the petition must set forth:

1. All the facts upon which the petitioner relies to entitle it to begin construction or exercise the franchise owned by it.
2. The financial condition of the applicant.

Annexed to the petition shall be a certified copy of the charter of the applicant, a verified copy of the consent of the proper municipal authorities, and the verified statement of the president and secretary of the corporation showing that it has received the required consent of the proper municipal authorities.

There must be annexed to the petition an affidavit made by at least three of the directors of the applicant, showing that it is the intention of the applicant in good faith to begin the construction and to exercise the franchise named in the petition.

RULE 27.

Application by a municipality under section 68 of the Public Service Commissions Law.— The petition of a municipality under section 68 of the Public Service Commissions Law for a certificate of authority to build, maintain, and operate a works or system of manufacturing and supplying gas or electricity for lighting purposes, other than municipal purposes, shall set forth:

1. The names and location of the principal offices of all gas and electrical corporations doing business within the municipality.
2. The names of the executive officers of each such gas or electrical corporation.
3. A general statement of the amount and character of services rendered within such municipality by each gas or electrical corporation therein.
4. A statement showing by what authority the municipality will have the right to build the proposed works or system upon receiving a certificate of authority from the Commission.
5. A description of the works or system proposed to be constructed.
6. The manner in which it proposes to pay for or finance the construction of the proposed works or system.

RULE 28.

Applications under section 69 of the Public Service Commissions Law by a gas corporation or electrical corporation for an order authorizing the issue of stock, bonds, notes, or other evidence of indebtedness.— Applications under section 69 of the Public Service Commissions Law will be governed by the provisions of Rule 24, and the order by the provisions of Rule 25.

RULE 29.

Applications under section 70 of the Public Service Commissions Law.—Applications under section 70 of the Public Service Commissions Law will be governed by the provisions of Rule 21.

RULE 30.

Complaints as to quality and price of gas and electricity under section 71 of the Public Service Commissions Law.—Upon informal application, the Commission will prescribe the form and contents of complaints made under section 71 of the Public Service Commissions Law, according to the requirements of the case. Any formal complaint which the Commission deems inadequate as to form or contents will be returned, with explicit instructions for the preparation of a proper complaint.

RULE 31.

Applications under section 46 of the Stock Corporation Law to increase or reduce capital stock.—Applications for the increase of capital stock are governed by Rule 24.

In all applications for the reduction of capital stock the petition must show:

1. The financial condition of the applicant.
2. The reasons for the proposed reduction.
3. That the proposed amount of capital stock is sufficient for the proper purposes of the corporation.

Accompanying the petition of railroad corporations there must be filed with the Commission three certificates of the proceedings of the meeting of stockholders authorizing the increase or reduction, or unanimous consent of stockholders, two of such certificates to be indorsed for filing and one to be filed in the office of the Commission.

RULE 32.

Applications relating to grade crossings under sections 60–69 of the Railroad Law.—All applications relative to grade crossings must be by verified petition. In all cases where the statute is not sufficiently explicit as to the contents of the petition, the Commission will, upon informal application, advise the applicant as to the matters necessary to be set forth in the particular case.

RULE 33.

Sundry applications for which no general rule is made.—Applications in the following cases must be made by verified petition. Upon the filing of the petition, the Commission will determine the practice in the case, no general rule being prescribed:

1. Sign boards at crossings (§ 33 Railroad Law).
2. Discontinuance of stations (§ 34 Railroad Law).
3. Accommodation of connecting roads (§ 35 Railroad Law).
4. Precedence of trains at grade crossings (§ 36 Railroad Law).
5. Approval of safety devices (§ 50 Railroad Law).
6. Approval of stoves or furnaces in dining-room cars (§ 51 Railroad Law).
7. Cessation of operation during winter by certain railroads (§ 55 Railroad Law).
8. Fixing compensation for transporting mails (§ 56 Railroad Law).
9. Extension of time for making reports (§ 46 Public Service Commissions Law).
10. Crossing of one railroad by another (§ 68 Railroad Law).
11. Liability of reorganized railroad corporation to extend its railroad (§ 83 Railroad Law).
12. Motive power of street surface railroads (§ 100 Railroad Law).
13. Compensation for use of tracks of street surface railroad (§ 102 Railroad Law).

14. Abandonment of part of route of street surface railroad (§ 103 Railroad Law).
15. Change of gauge (Laws of 1891, chap. 267).

RULE 34.

Practice on receiving petitions.— On receiving any petition required by these rules, the Commission will refer the same as of course to its executive clerk for examination. If it is found to conform to these rules and all statutory provisions, the executive clerk will report that fact to the Commission. If it does not so conform, he will advise the applicant of the defects, who may correct the same.

When the petition and accompanying papers are in proper form, a time and place for a hearing thereon will be appointed. The Commission will, in each case, direct what notice of the hearing shall be given, by publication or otherwise, and to whom.

At the hearing, the applicant must be prepared to establish all the facts alleged in the petition by evidence, but the Commission may, in such cases as it deems proper, grant the application upon the petition and accompanying papers.

The applicant must furnish for the use of the Commission in determining the application the originals of all books, papers, and documents which it may require, or certified or verified copies of the same. The failure so to do shall be ground for refusing the application.

APPENDIX J.

Inspection of Steam Railroads.

Reports of Inspectors, with Summary of Action of Corporations Thereon.

APPENDIX J.

NEW JERSEY AND NEW YORK RAILROAD.

In the matter of the various complaints regarding the New City branch of the New Jersey and New York railroad (operated by the Erie Railroad Company), as directed by your Honorable Commission, on July 4, 1907, I made a special examination of that line of railroad, and respectfully report as follows:

The New City branch of the New Jersey and New York railroad connects with the main line at Nanuet, and extends to New City, a distance of 4.29 miles, single track, and has about 0.25 miles of sidings and yard tracks. The country through which the road is built is fairly level, the work of construction was light, and grades and curves also light. The roadway is very well graded and fairly well drained. The only opening to grade is an I-beam bridge of about 15-ft. span, with fair masonry and standard ties and guard timbers, in good condition. One wall plate was observed getting somewhat decayed, and should be replaced. There are no arch culverts. The stone box culverts, iron and cement pipe drains for conveying water through the embankments, are in fair condition.

The cross-ties are mainly yellow pine; a few are chestnut; the standard dimensions are 6 x 8 in., 8 ft. in length, and they are laid at the rate of 2,816 to the mile of track. New cinder ballast is distributed along the entire length of this branch, and for a distance of about a mile and a-half has been put under the track. This ballast covers the ties now in track to the extent that I was unable to determine just how many poor ones there were, but it is evident that the general condition is bad, especially between New City and Germond, a distance of approximately two miles; in some cases there were three or four alongside each other that were badly decayed, and at least 20 per cent. of all those in track between those places should be renewed promptly; on the balance of the road the ties are in somewhat better condition, and probably not more than 10 per cent. need renewal; new yellow pine ties are distributed along the entire length, although not enough to replace all that should come out.

When the last inspection was made this entire road was laid with 63-lb. steel rail, connected by angle plates 24 inches in length with four bolts; about two miles of this rail, from the Nanuet end, have been recently replaced with what appears to be about a 74-lb. re-layer rail; much of it apparently has been previously used on curves, and while not a first-class rail, is a very decided improvement on the rail replaced. More rail is distributed and being put in, and apparently it is the intention to replace all the old rail. The rail being taken out is very much worn, battered at the joints. The angle plates were also much worn, apparently did not fit well, and while with the exception of a few joints, in New City yard, the connections were full bolted, a very large proportion of the bolts were loose and apparently could not be kept tight.

The alignment and surfacing of the track is somewhat irregular, and while the elevation of the outer rail on curves is sufficient for the rate of speed at which the trains are scheduled, it is not regular. I did not find any rails in what could be considered a dangerous condition, neither is the general condition of the road such as to make it dangerous for the speed at which the trains are scheduled, about twenty miles per hour; but would recommend that this speed be not exceeded, and that immediate steps be taken to put the road in proper condition.

The switches are split point, and have automatic stands with proper targets and all apparently in fair condition. Switch lamps show red light for danger and white for safety. Both rigid and spring rail frogs are used, and are in good condition. Derailing switches are in sidings where their use appears necessary, and have proper targets.

The main track and one siding of the Piermont branch of the Erie railroad are crossed at grade at Nanuet; the crossing is protected by a target signal, and all trains are required to come to a full stop before crossing.

The right of way is free from trees; grass, weeds and small brush have not been cut this season. Most of the road is unfenced, and where fences are maintained they are generally in poor repair.

There are 11 grade crossings of highways. The approaches are fairly well graded and the planking in good condition. Crossing signs of the diamond or X form are properly located at each of the crossings. There are no cattle guards. At most of the highway crossings there are brush and small trees, mainly outside the company's right of way, and a considerable number of them within the lines of the highway, that very much obscure the view of approaching trains, and should be removed. Mile posts are maintained, and the whistle posts are properly located. There are no overhead obstructions.

The movements of trains are governed by the telegraphic train order system.

There is a small framed station at New City. This building has been constructed but a short time and is in good condition, but evidently too small for the requirements. The small freight room was entirely filled; there was a quantity of baggage in the waiting room, and more baggage and freight standing outside that could not be taken care of for lack of room on the inside. No toilet facilities are provided. Germond is a flag stop where a highway crosses; no shelter is provided and there are no houses near the crossing, neither is there any collection of houses in that vicinity. Bardonia is another flag stop with no station building; there are a few houses in the vicinity of the track, and there is a spur track for placing freight cars when necessary. At the junction with the main line at Nanuet there is a modern station building, in good condition and properly furnished. Where the road crosses the Piermont branch there is an open shed for shelter; this place is located about 700 feet from the regular Nanuet station, with a cinder walk leading from the station to this crossing.

Recommendations: That a new wall plate be put under the I-beam bridge near Nanuet; that the necessary renewal of cross-ties be made promptly; that the remainder of the 63-lb. rail be replaced; that the ballast now distributed along the track be put under promptly (there is apparently sufficient distributed to properly ballast the track); that the track be put in proper alignment and surface; that the grass, brush and weeds on the right of way be cut and removed; that fences and cattle guards be maintained as required by law; that the brush in the vicinity of highway crossings which now obscures the view of approaching trains be cut and removed; that sufficient room be provided for baggage, freight and passengers at New City, and that toilet facilities be furnished.

NEW YORK, NEW HAVEN AND HARTFORD RAILROAD.

As directed by your Honorable Commission, I reëxamined the main line of the New York, New Haven and Hartford railroad on July 12, 1907, to ascertain if the recommendations contained in the inspection report of June 15, 1907, had been or were being complied with, and respectfully report as follows:

In making this examination I rode twice over the entire line, and walked over such portions of it as from former inspection required close examination. Since the former inspection was made very extensive track repair work has been done, and a large force of men is now engaged continuing such repairs. Very extensive renewal of cross-ties has been made. Where new ties have been put in, new spikes are used, and worn spikes in all the tracks have been or are being replaced. Some renewal of worn rail has been made; there still remain in the track more rail with battered or "piped" ends or worn places, that need replacing. Regarding the guard fence recommended between the east-bound track and driveway along the team delivery track south of Larchmont Manor station, nothing has been done toward the erection of

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MOUNT BEACON INCLINED RAILWAY.

On July 5, 1907, I made another inspection of the Mount Beacon Railway, and respectfully submit the following report:

The Mount Beacon Incline railway extends from the foot of Mt. Beacon, near Matteawan, to its westerly summit, a distance of about 2,200 feet. Its alignment is composed of tangents and long, easy curves, all of them to the right in ascending the mountain. The average grade is about 64 per cent.; the maximum is 74 per cent. All of the road excepting about 225 feet, about two-thirds of the way to the summit, and about 75 feet at the summit, is laid on the surface of the ground, the construction being on mudsills spaced about 6 feet apart; on these sills, and driftbolted to them, are stringers 6 x 10 inches, one under each rail, and on these stringers rest the cross-ties, which are 6 x 6 in., and spaced at about 34-in. centers; each tie is driftbolted to the stringers. The guard timbers are built up of two planed 4 x 6-in. sticks, with lap joints, spiked together and bolted to every tie with two ¾-in. bolts. Idlers for carrying the cable, supported by the ties, are provided at intervals of about 36 feet. That portion of the road above referred to not laid upon the ground, is supported on a framed timber trestle of an average height of about 10 feet, in about 12½-ft. spans. The bents rest on masonry piers. The bents are composed of four 10 x 10-in. posts and 10 x 10-in. sills and caps; resting on these bents are four 6 x 12-in. corbels, notched in such a manner as to transmit the load from above vertically, and on these corbels rest the 6 x 12-in. stringers, two under each rail. The corbels, stringers and ties are dirftbolted together.

The power house is located at the upper terminus of the road. In it are installed two 75-hp. motors, generating an electric motive power of 500 volts, directly connected to the machinery supporting the cable drums. Two circumferential brakes, one on each motor, are provided; the straps of these brakes are 9-in. wide and bear against 2½-ft. diameter wheels; they are applied by the force exerted by powerful helical springs, which are released under certain conditions by the current. The cable drums, of which there are two, are 10-ft. in diameter, mounted on 8-in. shafts, the whole mounted on a massive base which is anchored with bolts to the rock. The power is transmitted to these drums from the motor by gearing, the driver being 20-in. in diameter, the follower, mounted on one of the drum shafts, being 10-ft. in diameter. On this same shaft, and between the gear and drum wheels and acting as a unit with those wheels, is another wheel of 10-ft. diameter, surrounded by a circumferential emergency brake, the width of strap being 6-in.; this brake is controlled by the speed of revolution of the drums and applied by the falling of weights which cause the strap to bear tightly against the wheel. By the falling of these weights the brake is applied.

Two cars, capable of seating about 55 persons, are attached to the ends of the cable, which is 1⅜-in. in diameter, and one car ascends while the other descends, the passing point being a so-called Brown patent turnout, having specially constructed switches and frogs. Each car is equipped with four wheels, those on one side being grooved, those on the other being entirely flat, and 8 inches wide. This construction and arrangement of wheel is for the purpose of operating cars over the frogs and switches. On one axle of each car is a round iron wheel, to which are attached two dogs so arranged that, upon the centrifugal force reaching a certain amount, they fly beyond the circumference of this wheel and there engage a lever, which, in turn, is released by this action from its bearing; this lever is weighted, and in falling rotates two heavy-toothed jaws, one on each side of one of the guard timbers; this is the car emergency brake, and as the lever drops and the jaws rotate, the teeth engage the guard timber, and thus prevent the further down-hill movement of the car. This mechanism is also under the control of the conductor, and is so adjusted that at a speed of 700 feet per minute, the release of the lever is effected.

The ordinary speed of operation is 500 feet per minute. Telephonic communication is established between both termini. Power is obtained from the Fishkill Electric Railway Company's power house. Inspections of the road are made daily.

On April 18, 1907, about six weeks previous to the road being put in operation for the season, I made an inspection of the road. I found that the masonry piers to the trestle located about two-thirds of the way up the mountain were in bad condition. When originally constructed a proper foundation was not secured, and the piers had in some cases slipped, and were broken and crumbling, one of them being in very bad condition. Toward the foot of the mountain a number of mudsills were considerably decayed. There were also a few ties needing renewal; also three or four sticks of guard timber beginning to show evidence of decay; all other timber was in good condition. The cable and the machinery and the cars were all in good condition. The track was considerably out of alignment and surface, more especially at the trestle where the piers had failed; it was also somewhat out of alignment and surface at other points. Owing to the defects above referred to, I then made the following recommendations: "That the masonry foundations to the trestle bents be rebuilt or properly repaired; that the decayed mudsills be replaced; that new ties and guard timbers be put on where necessary; that the track be properly re-surfaced and re-aligned; and this work be done previous to putting the road in operation for the season."

On July 5, 1907, I again made an examination of this railway. I found that, in compliance with the recommendations, the masonry foundations to the trestle bents had been rebuilt or thoroughly repaired and were in good condition; that the mudsills needing it had been replaced; that the new ties and guard timbers had been put on where necessary; that the alignment and surfacing of track had been very much improved. From my examination, I consider the road in safe condition throughout.

CATSKILL AND TANNERSVILLE RAILWAY.

The Catskill and Tannersville Railway was inspected by me on July 8, 1907, and I respectfully submit the following report:

The Catskill and Tannersville railway is a single track line with 3-foot gauge, extending from a connection with the Otis railway at Otis Summit to Tannersville, 5.50 miles, and has about 0.39 miles of sidings and yard track. The road is very crooked, and has steep grades, very much broken. The maximum curve is 20 degrees, located near Haines Corners; the maximum grade is 264 feet per mile, in several places.

The general condition of the road is considerably improved since the last inspection, which was made June 27, 1905. The cuts and embankments are

generally of fair width and natural earth slopes. The roadway is fairly well drained. There are no steel or iron bridges in the roadway. There is one wooden overhead bridge for conducting a highway over the railroad at Otis Summit; it is in fair condition. There are three timber trestles: two of them consist of 8 spans each, and the other 12 spans; the timber is yellow and Virginia pine, in good condition. New ties, guard timbers and some new stringers have been put on since the last inspection, and inside guard rails placed. The foundations to the bents are mansonry piers; they are in good condition, several of them having been rebuilt or repaired. There are six open culverts and cattle passes, all having masonry abutments and in fair condition; timber stringers are used, but are sufficient and in good repair; the ties and guard timbers are standard and properly maintained.

The cross-ties are 6 x 6 and 6 x 8 in., 6 ft. in length, and laid at the rate of 2,816 to the mile of track; they are in fair condition, well spaced and full spiked; about 33 per cent. have been renewed. The track is laid with mixed 40 and 46-pound steel rail, connected by angle plates, mainly; a few fish plates are used. The connections are 18 and 21 in. in length and have four bolts. The rail is in fair condition for the light motive power and rolling stock used. The connections are full bolted, and bolts tight.

All the switches are split point; rigid and automatic stands are both used. The targets are properly painted. No switch lamps are used; no night trains are run. The frogs are rigid. The track is lightly ballasted with gravel and shale. The alignment and surfacing of the track are fair for the speed maintained, and the outer rail on curves properly elevated.

The right of way is free from trees and brush. The fences are of wire and generally in good condition. The highway crossings are fairly well graded, and protected by signs of triangular form properly located; some of them, however, would be benefited by an additional coat of paint. Metallic slat cattle guards are used; at several crossings they are lacking, and at most crossings guard fences have not been erected. No mile posts are maintained. Whistle posts have been recently erected and are properly located.

The section force consists of a foreman and ten laborers. These men also do necessary repair work on the Otis railway. They are furnished with necessary flags and lanterns for protecting their work. The trains are operated under the telephone train order system.

At Tannersville there is a small frame station, in fair condition, but evidently too small for the requirements. The freight room was filled, some freight in the waiting room, and more upon the platform. An outside closet is provided. At Haines Corners there are a ticket office and small sized waiting rooms; at the end of this small building is a covered platform. The station facilities at this place are also entirely inadequate, and should be increased. No closet is provided. The only other station building on the line of the road is at Otis Summit, and belongs to the Otis railway; that is a frame building, in good condition and properly furnished. At other points along the line of the road there are covered platforms where trains stop on signal to take or leave passengers.

The equipment consists of two small locomotives weighing about 30 tons each, one combination car, one coach, one box car, and one flat car; they are in good condition. The locomotives, combination car, and coach are equipped with automatic couplers and air brakes, the box and flat car have automatic couplers, air, and also vacuum, brakes, as they operate over the Otis and the Catskill Mountain railways.

Recommendations: That necessary repairs be made to fences; that cattle guards with proper guard fences be maintained at all grade crossings of highways; that the station buildings at Tannersville and Haines Corners be enlarged sufficiently to properly accommodate the business at those places; and a proper closet be provided at Haines Corners.

A copy of this report was submitted to the superintendent of the company, who replied that the suggested repairs and improvements would be adopted by the company and completed in time for the 1908 business.

OTIS RAILWAY.

On July 8, 1907, I inspected the Otis Railway, and respectfully submit the following report:

The Otis railway is an inclined plane, extending from Otis Junction, on the line of the Catskill Mountain railway, to Otis Summit, a distance of 1.08 miles, and is operated by stationary engines and cables. The track is laid with three rails, each 3-foot gauge. A car is attached to each end of the cables, and one car descends as the other ascends, meeting half way and passing on a piece of double track constructed at that point for that purpose. The rail is 33-lb. steel, connected by angle plates 18 inches in length with four bolts. The ties are 5½ x 5½ in., 9 feet in length, and 15 are laid to a 30-foot rail. The ties are laid upon stringers 6½ x 12 in., one under each rail, and the stringers rest upon mudsills and are bolted to them. Every second tie is bolted to the stringers. Guard timbers consisting of two pieces, making a section 5½ x 8 in., are placed 4½ in. inside of each of the outer rails and are bolted to every tie. There is one timber trestle 286 ft. in length, with extreme height of 20 ft.; this trestle is of standard construction; the timber, however, is getting old, and while in its present condition it is thoroughly safe for this season, it should be rebuilt or replaced in the near future. The bents are spaced 16 fee. from center to center. The sills rest upon masonry piers. There was another trestle about 480 ft. in length, with extreme height of 62 ft., which has been replaced since the last inspection with a steel viaduct which is of excellent construction and thoroughly suitable; the foundations are concrete masonry piers. The ties on the trestle and viaduct are of about the same dimensions as those used in the balance of the track, excepting that each third one is 16 ft. in length; made so in order to support a plank walk, which is laid on each side of the track and protected by an iron railing. The same system of guard timbers and bolting is maintained upon the structures as upon the other portions of the track. There are two undercrossings for private roads; these have abutments of dry masonry and timber stringers, all in proper condition. A watchman is employed, who goes over the road daily to examine the structures, track, etc. Considerable renewals of mudsills and stringers have been made since the last inspection; there yet remain mudsills, stringers laid on mudsills, and some ties that are getting old, and while they are in safe condition for this season, extensive renewals should be made before the road is opened for operation next year.

Two Roebling cables, 1¼ in. in diameter, are attached to each car; the cables are supported by idlers spaced about 30 ft. apart. The power station, located at the head of the plane, is equipped with two Hamilton-Corliss engines, with cylinders 12 x 30 in.; two upright boilers 19 ft. high, 4 ft. 8 in. shell, fire box same diameter as shell, shell enlarged at fire box end; 152 flues, 2½ in. in diameter, in each boiler. Each boiler has a 4-in. Crosby pop valve, set at 120 pounds. Engines have two 8-ft. brake wheels on main shaft, with circumferential strap brake, lined with wood fiber, operated by air furnished by a Westinghouse air pump. The cable is wound three times around two 12-ft. drums; drums have differential steel rings slip fit on drums, held in place by retaining ring; work is done by friction of rings on drum. There is a curcumferential brake on one drum operated by air system. Engines controlled by governor, also a speed recorder in operating room, with electric bell. There is a grip on each car, with automatic governor; also an arrangement to pull on grip by carman in case of an emergency. Speed of car is 8 miles per hour.

The railway has been run about sixteen seasons of four months each. The boilers, engines and all machinery, as well as the cable and cars, are in first-class condition. In addition to the cars above referred to, which are open cars, seating about 75 persons each, the company has two baggage cars, one of which is attached to each of the open cars; it also has two gondolas and two box cars. These cars also operate over the Catskill and Tannersville and the Catskill Mountain railway, and are handled up and down the plane, one

at a time, behind the open car and baggage car. These cars, in addition to having the regular heavy link attachments by which they are fastened to the cars of the Otis railway, have automatic couplers and air and vacuum brakes, as the Catskill and Tannersville railway uses the air brake and the Catskill Mountain railway the vacuum brake.

At a point near the head of the plane there are two switches, located just sufficiently far apart that the car which is to go on the Catskill and Tannersville road can be stopped between them. The upper switch leads to a connection with the Catskill and Tannersville road; the lower switch turns into the bank, so that in case of the possible getting out of control of this car it will simply run into the bank and stop, instead of going down the plane. When the car is stopped between the two switches above referred to, a separate cable is attached to a very heavy iron ring on the side of the car, the slack taken, both switches having previously been opened, then the cars on the regular plane are moved away and the car for the Catskill and Tannersville road drawn up to the level yard of that road by a cable attached to a stationary engine. While this method of operation is unique, I see no danger in it.

The station buildings at either end of the plane are in good condition and properly furnished.

Recommendations: That the remaining timber trestle be extensively repaired, rebuilt, or replaced; and extensive renewal of mudsills, stringers and some ties be made before the road is opened for operation next season.

A copy of this report was submitted to the company; and the company replied that the recommendations would be adopted and the improvements made prior to the opening of the railroad for business in 1908.

CATSKILL MOUNTAIN RAILWAY.

I inspected the Catskill Mountain Railway on July 9, 1907, and respectfully submit the following report:

The Catskill Mountain railway, a single track, 3-ft. gauge railway, extends from Catskill Landing to Palenville, a distance of 15.75 miles, has a branch line extending from Cairo Junction to Cairo, a distance of 3.77 miles, and has 1.86 miles of sidings and yard tracks. The road is very crooked, with many sharp curves, the maximum being 28 degrees. The grades are also steep and considerably broken; the maximum on the main line is 125 ft. per mile, near Palenville; on the Cairo branch, 135 ft. per mile, about half way between Cairo Junction and Cairo. The roadway is very well graded and properly drained.

There are five iron bridges with a total of 13 spans; they are in good condition, fairly well painted, have good masonry, standard ties and guard timbers, and inside guard rails. The only wooden bridges are for overhead highway or farm crossings; they are in fair to good condition; while some of them are low, there are no warning signals, for the reason that no cars except with platform brakes are operated on the road. There are no timber trestles in the roadway. The open culverts and cattle passes have fair to good masonry, suitable timber stringers, standard ties and guard timbers, well maintained. The arch and box culverts and iron pipe drains are apparently in good condition.

The cross-ties, mixed yellow pine and chestnut, are 6 x 8 in., 6 ft. in length, and laid at the rate of 2,992 to the mile of track; they are in good condition, evenly spaced and full spiked. About 20 per cent. have been renewed since the last inspection (June, 1905). The track is laid with 40-lb. steel rail, connected by angle and fish plates and continuous rail points 17 in. in length with four bolts. The rail is in fair condition for the light motive power and rolling stock used. All connections are full bolted, and no loose bolts were observed. Shoulder tie-plates are being put on the sharp curves. All main

track switches are split point, and have rigid stands with well painted targets. Switch lamps are not used excepting in the yard at Catskill Landing, as no night trains are operated over the road. The frogs are rigid. Derailing switches are in all sidings where their use appears necessary. The alignment and surfacing of the track are good, and the outer rail on curves properly elevated for the speed at which trains are scheduled. The track is lightly ballasted with gravel.

The right of way is clear and clean and fenced with wire, generally in good repair. The highway crossings are properly graded, well planked and protected by signs of the triangular form properly located and well painted. Several crossings were observed, and attention directed to them, where brush outside the company's right of way and mainly within the lines of the highways, to quite an extent obscured the view of approaching trains, and request was made that such obstructions to the view be removed. Metallic slat cattle guards with proper guard fences are maintained at each boundary of all the highways crossed at grade. Mile posts are not maintained. The whistle posts are at the prescribed distance from the highway crossings.

The track force consists of three foremen and twenty-one laborers, and is provided with flags and lanterns for protecting the work. The track is patrolled daily by some members of the section force.

The movements of trains are governed by train orders issued by telephone.

The station buildings, while many of them are small, are apparently sufficient for the requirements, and are in good repair and properly furnished.

The road equipment consists of four locomotives, the heaviest weighing about 28 tons; four baggage cars, four box cars, eight gondolas and four flats; all apparently in good condition, equipped with automatic couplers and vacuum brakes. Emergency tools are properly located in the centers of the passenger cars; water for drinking is provided; when necessary, the cars are lighted with oil lamps.

This road operates only during the summer season. The road is in generally good condition, and no recommendations appear necessary excepting that brush in the vicinity of highway crossings that obscure the view of approaching trains be cut and removed.

A copy of this report was submitted to the president of the company, who replied that the recommendation of the inspector had been agreed with; and later, he reported that the brush had been cut.

POUGHKEEPSIE AND EASTERN RAILWAY.

On July 10, 1907, I inspected the Poughkeepsie and Eastern Railway, and respectfully submit the following report:

The Poughkeepsie and Eastern railway, which has recently come under the control of the New York, New Haven and Hartford Railroad Company, is a single track, standard gauge line, extending from a connection with the New York Central and Hudson River railroad at Poughkeepsie to Boston Corners, on the Harlem division of the New York Central and Hudson River railroad, a distance of 39.79 miles; of which distance for 4.8 miles, between Stissing Junction and Pine Plains Junction, the trains of this railroad operate over the Newburgh, Dutchess and Connecticut railroad, which railroad is also under control of The New York, New Haven and Hartford Railroad Company; thus making the actual mileage of the Poughkeepsie and Eastern railway 34.99 miles, with 2.86 miles of sidings and yard tracks.

The general alignment of the road is very fair; the maximum curve is about 6 degrees. The grades are in places steep and considerably broken; the maximum is 90 ft. per mile. A few of the cuts, through material of a quicksand nature, are somewhat narrow at the bottom owing to the washing of the slopes, and the ditches in those cuts somewhat obstructed; the roadway, however, is generally well drained. The embankments are generally of fair width and natural earth slopes.

There are no iron bridges or wooden span bridges excepting for overhead highway and farm crossings; these are in fair condition, and low ones protected by warning signals; some of which signals are out of repair, and attention was directed to them by your inspector with the request that proper repairs be made. The larger streams and several large valleys are crossed on trestle structures; very extensive repairs have been recently made to such structures and a large force of men is now engaged making additional repairs; none was observed as in dangerous condition, and apparently arrangements are made for making all necessary repairs quickly. In addition to this, three of the larger ones crossing valleys are to be filled, the filling to be commenced in the immediate future. Nearly all the open culverts and cattle passes have masonry abutments, generally in fair to good condition, and arrangements are made for rebuilding or repairing those needing it. The stringers, ties and guard timbers on trestles, open culverts, and cattle passes are generally in good condition; on the larger portion of them new stringers, ties and guard timbers have been recently placed, and men were engaged putting new ones on the others wherever needed. No inside guard rails are maintained. The arch and stone box culverts and iron pipe drains are in fair to good condition.

The cross-ties, about 60 per cent. yellow pine and the balance chestnut and oak, are 6 x 8 in., 8 ft. in length, and laid at the rate of 2,816 to the mile of track. Very extensive renewals have recently been made, and a force of men is now engaged putting in new ties. Where renewals have been made they are sufficient, and on no part of the line of the road east of Poughkeepsie are they in bad condition; on the New York Central connection, however, west of Poughkeepsie, about 25 per cent. of those now in track are very much decayed and renewals should be promptly made. This, I am advised, is arranged for. All cross-ties are full spiked. The track is laid with mixed 65 and 70-lb. steel rail, most of which are connected by angle plates 22-in. with four bolts; some 36-in angle plates with six bolts are in use; all the connections are full bolted and practically all bolts tight, and the rail in fair condition for the traffic and the speed maintained. With the exception of two or three in yards, which are stub switches, all main track switches are split point; both rigid and automatic stands are used, and with some of the rigid stands there is a spring in the head rod of the switch rendering the switch automatic. The targets are in fair condition. Switch lamps are not used, night trains not being run. Rigid and spring rail frogs are used. There are no derailing switches in any of the sidings connecting with the main track; a few places were noted where derailing switches should be put in. The alignment and surfacing of the track have been greatly improved and are now very fair for the speed at which the trains are scheduled, excepting on the New York Central connection, where the track has not yet been put in condition and where trains operate very slowly. The track is lightly ballasted with gravel, generally; some portions of the line are nearly devoid of ballast, and grass and weeds are growing between the ties.

One track of the Poughkeepsie City and Wappingers Falls Electric railway crosses at grade on North street; there are no derailing switches in the track of the electric road, nor protection over the trolley wire.

Tress and brush have been removed from the right of way; grass and weeds have not yet been cut this season. The fences are generally of wire, and in places considerably out of repair. The highway crossings are fairly well graded, planking in good condition, and are protected by signs of triangular form; these signs appear to be properly placed, but many of them need repairs or repainting. Several crossings were observed where brush outside the company's right of way, and much of it within the boundaries of the highway, to quite an extent obstructed the view of approaching trains, and should be removed. No cattle guards are maintained. Four of the highway grade crossings are protected by flagging, and the remaining 31 by crossing signs only. Mile posts have been erected between Pine Plains and Boston Corners, but on the remaining portion of the road have not yet been erected, although they have been prepared and are ready for erection. Whistle posts are properly located.

The track sections are about 5¾ miles in length, and the average force maintained upon each consists of a foreman and six laborers. A large extra gang is now employed putting in new ties.

All the movements of trains are governed by the telegraphic train order system.

The station buildings, while a few of them are somewhat out of repair and poorly painted, are generally of sufficient size and are properly furnished.

The motive power and rolling stock that belong to the Poughkeepsie and Eastern railway is considerably out of repair and much of it has been detroyed or its use discontinued; the remainder is expected to be replaced or put in proper condition in the near future. The equipment that belongs to the road now in use consits of 7 small locomotives, 4 coaches, 2 combination cars, 10 box cars and 6 flats; all equipped with automatic couplers and air brakes.

The present schedule of trains has been considerably reduced from what it was a year ago, at which time trains departed from Poughkeepsie station as follows: A second-class train at 6:40 a. m., running to Boston Corners; first-class trains: at 10:50 a. m., running to Boston Corners; 2 p. m., running to Stissing Junction; 4.05 p. m., running to Boston Corners; and 6:15 p. m., running to Stissing Junction; making five trains daily. In addition to this, one train ran in either direction on Sunday, leaving Poughkeepsie at 11:25 a. m., and returning arrived at Poughkeepsie at 5:31 p. m. Week day inbound trains arrived at Poughkeepsie, first-class 8 a. m.; 12:05 p. m.; 3:32 p. m.; and 8:12 p. m.; and a second-class train at 5:05 p. m. This made five trains in either direction, in and out of Poughkeepsie on week days; and one in either direction on Sunday. Under the present schedule a second-class train leaves Poughkeepsie from the Poughkeepsie and Eastern station at 8:55 a. m., and returning arrives at Poughkeepsie station at 4:05 p. m. The other trains, of which there are two daily, leave the Central New England station, going on to the Poughkeepsie and Eastern road at a connection about a mile east of Poughkeepsie, leaving that station at 2 p. m. and 4:05 p. m., respectively; returning trains arrive at the Central New England station, Poughkeepsie, at 2:50 and 8:50 p. m., respectively; and the one of those trains leaving Poughkeepsie at 2 p. m., and the one arriving at Poughkeepsie at 2:50 p. m., only operate over this road as far as Stissing Junction, and from that point over the Newburgh, Dutchess and Connecticut railroad to and from Millerton. On Sunday there is one train in either direction, arriving at and departing from the Poughkeepsie and Eastern station at Poughkeepsie, and running to Boston Corners. It will be noted from this that there has been quite a reduction in train service over this road from what it was a year ago. Presumably the reason for this is that the Central New England railroad and the Poughkeepsie and Eastern railway, both now under control of The New York, New Haven and Hartford Railroad Company, run through very nearly the same territory from Poughkeepsie to Boston Corners.

Recommendations: That additional sloping be done to the quicksand cuts, and proper ditches maintained there; warning signals at overhead obstructions be put in proper repair; inside guard rails maintained on the trestle structures; additional necessary renewal of cross-ties be made promptly on the New York Central connection; stub switches be replaced with split point switches; derailing switches put in all sidings connecting with the main track on which cars are left standing, where the grade descends toward the main track; additional ballast be used; fences put in proper repair; necessary repairs and repainting of crossing signs be done; brush in the vicinity of highway crossings that obscures the view be cut and removed; and that cattle guards with proper guard fences be maintained at each boundary of all highways crossed at grade.

A copy of this report was submitted to the president of The New York, New Haven and Hartford Railroad Company, who ordered that the recommendations of the inspector be at once complied with. Satisfactory progress with all suggestions as to physical repairs has been reported.

NEW ENGLAND RAILROAD.

On July 10 and 11, 1907, I inspected the New England Railroad, and respectfully submit the following report:

The New England railroad extends from Fishkill Landing to a connection with the Newburgh, Dutchess and Connecticut railroad at Wicopee Junction, a little more than one mile; and from another connection with the Newburgh, Dutchess and Connecticut railroad at Hopewell Junction to the Connecticut-State line, near Mill Plain, the total length of the road being 30.47 miles. The distance between Wicopee Junction and Hopewell Junction is about 12 miles, and the trains which formerly ran from Fishkill Landing over the New England railroad operated for that 12 miles over the track of the Newburgh, Dutchess and Connecticut railroad, and the few trains that operate that way now do the same. Since the acquiring by The New York, New Haven and Hartford Railroad Company of the Central New England railway and the Newburgh, Dutchess and Connecticut railroad, practically all the freight trains and nearly all the passenger trains, instead of operating to and from Fishkill Landing, run from Hopewell Junction over what is called the Hopewell branch of the Central New England railway, to or through Poughkeepsie; and the small piece of the New England railroad from Fishkill Landing to Wicopee Junction is now considered as a part of the Central New England; that piece of road is in proper condition for the use made of it, and is not considered further in this report. The New England railroad, from Hopewell Junction to the Connecticut-State line, about 29 miles, is double tracked, the second main track having been completed since the last inspection was made (August, 1905), and the work has been thoroughly well done.

The cuts and embankments are of full width and proper slopes and the roadway well drained. There are approximately twelve miles of sidings and yard tracks. The road is considerably crooked, but most curves light, the maximum being 7 degrees, located at Poughquag. The grades are considerably steep, but fairly regular, and much of the road is on grade; the maximum is about 73 ft. per mile, between West Pawling and Holmes.

The steel and iron bridges are in first-class condition and well painted. The masonry is good; the ties and guard timbers are standard and well maintained; inside guard rails are laid upon all. There are no wooden bridges except those used for overhead highway and farm crossings; they are in proper repair, and all low ones protected by warning signals. There are no timber trestles remaining. All open culverts and cattle passes have good masonry, and with one exception have I-beam stringers; the one excepted has timber stringers of sufficient strength. The ties and guard timbers are of standard dimensions and well maintained. Many of the bridges, open culverts, and cattle passes have been rebuilt in connection with the double tracking of the road, and with one exception all the timber stringers replaced with I-beams. Three grade crossings have been eliminated by building undergrade crossings. There were several timber trestles, all of which have been filled. The arch and stone box culverts and iron pipe drains are in good condition.

The cross-ties, about 75 per cent. chestnut and the balance oak, are 6 x 8 in., 8 ft. in length, and laid at the rate of 3,168 to the mile of track; their condition is good, they are evenly spaced and full spiked. Tie-plates are being put on the sharp curves. The track is laid with 78 and 79-lb. steel rail, the 78-lb. rails being connected by Weber joints 24 in. in length with four bolts, and the 79-lb. by angle plates 30 in. in length with six bolts. The rail is generally in first-class condition, and renewal being made as necessary. All the connections are full bolted, and bolts tight. All main track switches are split point, and have automatic stands with well painted targets. All facing point switches, with the exception of two, have been removed; one of those remaining is on a steep up-grade near a point where all trains stop; the other is at Brewsters, and is protected by a distant signal interlocked with the switch stand. Switch and semaphore lamps show red

light for danger, green for safety, and yellow for caution. All main track frogs are spring rail. Derailing switches are in all sidings connecting with the main track upon which cars are left standing, where the grade descends toward the main track. The alignment and surfacing of track are first class, and the outer rail on curves properly elevated for the speed at which trains are scheduled. The track is well ballasted with gravel.

No railroads, steam or electric, are crossed at grade.

The right of way is clear and clean and fenced with wire, which is in good repair. The highway crossings are well graded, properly planked, and protected by signs of the finger-board design, properly located and well painted. Wooden slat cattle guards with proper guard fences are maintained at each boundary of all the highways crossed at grade. One highway crossing is protected by a flagman, one by an electric bell, and the remaining ten by crossing signs only. Mile posts are maintained, and the whistle posts are properly located.

The track sections average four miles in length of the double track, and the force maintained on each consists of a foreman and eight laborers. All portions of the road are patrolled daily by some member of the section force, and each section gang is furnished with flags, lanterns, and torpedoes for protecting its work. At a very extensive rock cut near Poughquag a watchman is maintained at all hours, and in either direction is a distant semaphore signal under his control.

No interlocking plants are maintained. The movements of trains are governed by the telegraphic positive block system.

The station buildings are in good condition, apparently sufficient, and are properly furnished.

The standard motive power and rolling stock of the New York, New Haven and Hartford railroad is used, and all observed was in proper condition.

The road is in thoroughly good condition throughout, and no recommendations appear necessary.

LAKE CHAMPLAIN AND MORIAH RAILROAD.

On July 26, 1907, I made an inspection of the Lake Champlain and Moriah Railroad and respectfully submit the following report:

The Lake Champlain and Moriah railroad extends from the connection of The Delaware and Hudson Company's railroad at Port Henry to Mineville, a distance of 7.66 miles; single track, with three switchbacks, and has about two miles of sidings and yard tracks. The road is very crooked; curves are frequent and fairly sharp, the maximum being 10 degrees. The grades are also steep, are practically continuous, but regular; the maximum is 211 feet per mile. The roadway is very excellently graded and thoroughly well drained. The iron bridges are in first-class condition; well painted; have good masonry; standard ties and guard timbers in good repair. Inside guard rails are not maintained. There is but one open culvert; it has good masonry, I-beams, stringers, standard ties, and guard timbers, well maintained. There is one undergrade highway crossing, with good masonry and timber stringers of sufficient strength; also standard ties and guard timbers, all in good condition. It is proposed at about this location to change the line of the railroad for about a mile, eliminating one switchback; therefore, an iron bridge has not been erected at this place. The arch and box culverts and iron pipe drains are in good condition.

The cross-ties, mixed yellow pine and oak, are 6 x 8 in., 8 feet in length, and laid at the rate of 2,816 to the mile of track; they are in first-class condition, evenly spaced and full spiked. The track is laid with 90-lb. steel rail, in good condition; connected by angle plates 24 in. in length with four bolts, and 30 in. in length with six bolts. All the connections are fully bolted, and no loose bolts were observed. All main track switches are switch points; both rigid and automatic switch stands are used, and have proper

targets. Derailing switches are in all sidings where their use appears necessary, a few were observed where the stands lack targets. The frogs are rigid and well maintained. The alignment and the surfacing of the track are excellent and the outer rail on curves properly elevated for the moderate speed at which the trains run. The track is well ballasted with sand, cinders, and screenings from the mines.

There are only a few small trees and brush on the right of way, which have been left to protect slopes and prevent snow drifting on to the track. Grass and weeds were being cut when the inspection was made. The fences are of wire and board and in fair repair. The highway crossings are properly graded, well planked, and protected by signs of the diamond form suitably located and well painted. Guard fences are maintained, but there are no cattle guards. Whistle posts are at proper distance from the highway grade crossings. There are no overhead obstructions.

The track force consists of a foreman and twenty laborers. All portions of the track are patrolled daily. No regular passenger trains are operated, but persons who desire to ride are carried in caboose or combination car attached to the ore train, the road being operated almost entirely as an ore carrying road. The only stations maintained are two small frame buildings, one at either end of the road; they are in proper repair and apparently sufficient for the requirements, and are suitably furnished.

The equipment consists of seven locomotives, two of them new and heavier than the ones formerly used, weighing about 150 tons complete with coal and water, and all are equipped with automatic couplers and air brakes. The road has seven flat cars, which have pin and link couplers and hand brakes; 275 four-wheeled ore cars, mainly equipped with pin and link couplers and lever brakes; 12 eight-wheel ore cars, with automatic couplers and air brakes; one directors' car, with automatic couplers and air brake; two small coaches, with pin and link couplers and hand brakes; one combined passenger and baggage car, with automatic couplers and hand brake; two flanging cars, with automatic couplers and hand brakes; and one wrecking car, with automatic couplers and hand brake.

Recommendations: That inside guard rails be maintained on all the bridges; that targets be put upon the stands of derailing switches where now lacking; and that cattle guards be maintained at each boundary of all the highways crossed at grade.

A copy of this report was forwarded to the superintendent of the company, who replied that the recommendations would be complied with.

GLENFIELD AND WESTERN RAILROAD.

I inspected the Glenfield and Western Railroad on July 22, 1907, and respectfully submit the following report:

The Glenfield and Western railroad extends from a connection with the Rome, Watertown and Ogdensburg division of the New York Central and Hudson River railroad at Glenfield to Page, a distance of 16.78 miles, and is a single track railroad with about 1.5 miles of sidings and yard tracks. This road has been extended about 3.78 miles since the last inspection (July 3, 1905), and is now being extended about three miles farther.

The road is very crooked, with curves frequent and sharp, the maximum being about 16 degrees. The grades are also very steep, being steeper than on any other standard guage railroad in this State; the maximum is about 269 feet per mile; there are several pieces of this steep grade, the longest being about 2½ miles. The road is used almost entirely for the transportation of timber and lumber, and very few passengers are carried; and very little freight aside from that belonging to the company that owns the railroad.

There is but one iron bridge, and that is a lattice deck girder of about 38-ft. span, and has abutments of concrete masonry; the bridge is of light

construction but of sufficient strength for the rolling stock and motive power used upon the road. A portion of the open culverts and cattle passes have abutments consisting of rubble masonry, and timber stringers; the larger portion of these openings, however, are entirely of wood, framed bents planked behind to support the embankments being used in place of masonry. The smaller streams are also crossed on trestle structures consisting of one to three bents, with timber stringers. The stringers, ties, and guard timbers are principally of spruce and hemlock timber; they are in good, sound condition and of sufficient quantity. Inside guard rails are used on the sharp curves and trestle structures that occur on curves. Aside from the trestle structures above referred to, there are two trestles: one consisting of eleven spans of about 15 ft. each of framed bent construction and 10 ft. in height; this has been partially filled and the filling should be completed promptly, as with timber partially covered it is impossible to determine its actual condition; the other trestle consists of five spans and crosses a stream of considerable size; the height of the structure is about 20 ft.; this structure is getting old, and arrangements are made for replacing it with an iron bridge. There are no arch culverts. The box culverts and iron pipe drains are in suitable condition. A few timber box culverts are used in swamps; they are as yet in good, sound condition.

The roadway is generally fairly well graded, although a few of the cuts have rather steep slopes and have washed, filling the ditches to a considerable extent.

The cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of from 12 to 16 to a 30-ft. rail; on about half of the road the cross-ties are cedar and in good condition; on the remaining portion of the road, hemlock, maple, beech, birch, and other native woods are used, and on that portion quite extensive renewals should be made promptly; some spots of poor ties, to which attention was directed, requiring immediate attention. Extensive renewal of ties was being made, two foreman and twelve laborers being engaged in that work. All ties are full spiked, and on the outside of curves double spiked. About one mile of track is laid with 56-lb., and the balance with 60-lb. steel rail, connected by angle plates 24 in. in length with four bolts. The rail is in fair condition for the light traffic and slow speed maintained (12 miles per hour), and no loose bolts were observed. There are some stub switches still remaining in the yards, but most switches are split point; all have rigid stands, with targets in fair condition. No switch lamps are used and no night trains operated. The frogs are rigid. No derailing switches are used and there are no sidings, apparently, on grade that require them. The alignment and surfacing of the track are somewhat irregular, and the elevation of the outer rail variable. The track is lightly ballasted with sand and gravel, and in places there is so little ballast that grass and weeds are growing plentifully between the ties.

The right of way through the settled portion of the country is fairly clean; through the forest, where the road runs for a considerable portion of its length, there still remain some brush and scattering trees, which should be cut and removed. Fences of wire are maintained along the settled portion of the road, but are somewhat out of repair. The highway crossings are fairly well graded, planking in proper condition, and are protected by signs of the diamond form. There are no cattle guards. There is one low, overhead bridge with warning signals needing repairs.

At Glenfield, the station of the New York Central is used; at other places small frame buildings have been erected, but no agents are maintained, the conductor of the train acting as freight agent for the entire road, and fares are collected on the train.

The equipment consists of one small, geared locomotive, and one small, consolidation locomotive; a small coach, and 10 flat cars; all equipped with automatic couplers and air brakes, and the geared locomotive has also a steam brake. The road is apparently very carefully operated; all hand brakes are set approaching the steep grades and steam used, if necessary, to move the train down the grade, and the air brakes reserved for emergency.

Recommendations: That the narrow cuts be widened and ditches cleaned; that the trestle now partially filled have filling completed, and the remaining trestle be replaced with the iron bridge, as planned, promptly; that the iron bridge be repainted to prevent injury from rust; that necessary renewal of cross-ties be made quickly; that the stub switches be replaced with split point switches; that additional ballast be put on, and the alignment and surfaces of track improved; that all trees and brush on the right of way be cut and removed; that fences be put in proper repair; that cattle guards with suitable guard fences be maintained at each boundary of all the highways crossed at grade; and the warning signals under the low, overhead bridge be repaired.

A copy of this report was forwarded to the superintendent of the company, who replied that the recommendations would be complied with; and later, reported that the iron bridge was installed, the trestle filled, two thousand ties replaced, and all other work in progress.

ADIRONDACK AND ST. LAWRENCE RAILROAD.

On July 24, 1907, I inspected the Adirondack and St. Lawrence Railroad, and respectfully submit the following report:

The Adirondack and St. Lawrence railroad extends from a connection with the Rome, Watertown and Ogdensburg railroad at De Kalb Junction to Hermon, a distance of 3.60 miles, single track, and has 1.10 miles of sidings and yard tracks. The general alignment of the road is very fair; there is, however, at Stellaville, a 12 degree curve. The grades are steep and considerably broken; the maximum is about 237 ft. per mile for a distance of about a quarter of a mile. Arrangements are made for reducing this grade. The cuts and embankments are of fair width and proper slopes and the roadway is fairly well drained.

There is but one iron bridge; it is a lattice deck girder about 54 ft. in length, and has a piece of trestle at either end. The bridge rests on double bents of timber. The bridge is in very good condition excepting that it should be repainted. The bents upon which the bridge rests, as well as the short pieces of trestle at either end which consist of three spans of framed bents, are of yellow pine timber and practically new. There is one other trestle, consisting of nine spans, also of framed bent construction. This trestle is across marshy ground, and the bents rest upon loose rock which was dumped in at the bottom of the fill. This trestle is built of hemlock and owing to settlement in the soft ground it is somewhat out of line and surface, and arrangements are made for filling with waste from the sulphide mines which are located in the immediate vicinity. There is one open culvert with timber bents in place of abutments; it is in fair condition, and it is planned to replace the bents with masonry; it has sufficient timber stringers and, as well as the other openings to grade, standard ties and guard timbers, in good repair. The only other opening to grade is a cattle pass of 5-ft. span, with dry masonry walls, in poor condition; timber stringers, ties, and guard timbers in good condition. It is also planned to replace this with concrete masonry and solid floor. There is one box cattle pass about one mile from De Kalb, made entirely of logs; this cattle pass was constructed quite a long time ago, and the logs are becoming decayed, and it is planned to replace this with a concrete box cattle pass. Inside guard rails are maintained on the bridge and trestle at either end; on the other trestles there are no inside guard rails. There are no arch culverts. Smaller openings through embankments for passage of water are of vitrified drain pipe; these are failing, and iron pipe is already on the ground with which to replace them.

The cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of 2.992 to the mile of track; about 50 per cent. of them are cedar and the balance hemlock and spruce; all are full spiked and very well spaced. The cedar ties

are in good condition; many of the hemlock and spruce ties are considerably decayed, and extensive renewals are now being made, the new ones being all cedar. The rail, 60-lb. steel, connected by angle plates 24 in. in length with four bolts, is in good condition; all the connections are full bolted and bolts tight. The main track switches are split point and have rigid stands with proper targets. Switch lamps are not maintained and no night trains are run. The frogs are rigid and in good condition. There are no derailing switches, although several places were observed and attention called to them, where they should be put in. The alignment and surfacing of track are very good. There is little ballast but the work of ballasting the road has been commenced, the ballast used being stone screenings from the ore mines; at the present rate of progress the track will be entirely ballasted in about two months.

The right of way is clear and clean, fences of wire and in fair repair. The highway crossings are well graded, properly planked, and protected by signs of the diamond form. Cattle guards are not maintained and mile and whistle posts have not yet been erected. This road carrying passengers has been in operation less than a year. There are no overhead obstructions.

The track force consists of a foreman and sixteen laborers, and the entire road is patrolled daily by some member of the section force.

At De Kalb Junction, the New York Central station is used; the only other station building is at Hermon: it is a frame building in first-class condition and properly furnished.

The road's equipment consists of one locomotive weighing about 45 tons complete, one combined baggage and passenger car, one box car, and fifteen hopper bottom ore cars used about the mines, which are located at Stellaville, near Hermon; all have automatic couplers and air brakes and are apparently in good condition.

Recommendations: That the hemlock trestle near Stellaville be filled, in the near future; that inside guard rails be maintained on bridges and trestles; that the iron bridge be repainted to prevent injury from rust; that the box cattle pass of timber be replaced promptly; that the open cattle pass have masonry rebuilt; that the decayed hemlock and spruce ties be replaced promptly (this is apparently being done); that derailing switches with proper stands and targets be put in on all switches connecting with the main track on which cars are left standing, where the grade descends toward the main track; and that cattle guards with suitable guard fences be maintained at each boundary of all the highways crossed at grade.

A copy of this report was submitted to the general manager of the company, who replied that the recommendations would be complied with; and later, October 30th, the president reported that all repairs recommended had been completed.

NORWOOD AND ST. LAWRENCE RAILROAD.

On July 25, 1907, I inspected the Norwood and St. Lawrence Railroad, and respectfully submit the following report:

The Norwood and St. Lawrence railroad, a single track road, connects with the Rome, Watertown and Ogdensburg division of the New York Central and Hudson River railroad and with the Rutland railroad at Norwood, and extends to Raymondville, a distance of 7.50 miles, and has about 1.40 miles of sidings and yard tracks. This road is now being extended from Raymondville to Waddington, on the St. Lawrence river, an additional distance of about 12 miles. Work on this extension is just commencing.

The road is considerably crooked, although there are some long tangents; the maximum curve is 12 degrees. The grades are fairly steep and somewhat broken; the maximum is 75 ft. per mile. The roadway is very well graded, considerable improvement having been made since the last inspection (July, 1905). The drainage is good.

The only iron bridge is on a private switch at Norfolk, and consists of five spans of 62½ ft. each of lattice deck girders on concrete masonry, and

has standard ties and guard timbers. The entire structure is in good condition, excepting that it should be repainted. The other openings to grade, of which there are five, are short span open culverts and cattle passes, with good masonry, I-beam stringers, standard ties, and guard timbers in proper repair. The concrete arch and box culverts and iron pipe drains are in good condition. A few drains of vitrified pipe are failing, and are to be replaced with iron pipe.

The cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of 2,816 to the mile of track; about 60 per cent. of them are hemlock and the balance cedar; the hemlock ties are generally getting poor, and there are many spots where there are so many poor ones that prompt renewal is necessary; about 20 per cent. of all cross-ties should be renewed this season; all are full spiked and fairly well spaced. Two miles of the track are laid with 75-lb. steel rail, connected by 30-in. angle plates with six bolts; and the remainder, 5.5 miles, with 60-lb. steel rail, connected by 20 and 24-in. angle plates and 24-in. fish plates with four bolts. The 75-lb. rail is in good condition; the 60-lb. rail is considerably worn, and arrangements are made for replacing it this season. All the connections are full bolted, and no loose bolts were observed. The main track switches are split point; both rigid and automatic switch stands are in use. Switch lamps show red light for danger and white for safety. The frogs are rigid and in good condition. There are no derailing switches, and apparently no sidings where their use is necessary. The alignment and surfacing of track are very good. The ballast is gravel and cinders, in fair quantity.

The right of way is free from trees and brush, and grass and weeds are now being cut. The fences are of wire and in fair repair. The highway crossings are properly graded, well planked, and protected by signs of the diamond form suitably placed and well painted. There are no cattle guards, but a sufficient number are now on hand, ready to be put in. No mile posts are maintained. The whistle posts are properly located. There are no overhead obstructions.

The section force consists of a foreman and twelve laborers, and the track is patrolled daily by some member of the section force.

The equipment consists of two locomotives, and one combined baggage and passenger car, two box cars, and four flats, all equipped with automatic couplers and air brakes. The motive power and rolling stock, aside from the combination car, are in very fair condition; the combination car is old and the interior in poor condition; your inspector is advised that a new car is being arranged for, to replace it.

At Norwood, the station building of the New York Central and Hudson River railroad is used; at Norfolk and Raymondville, the only remaining stations, there are frame buildings used for stations, in good condition and properly furnished.

Recommendations: That the iron bridge and also the I-beams be repainted to prevent injury from rust; that the vitrified pipe be replaced with iron pipe or masonry; that the decayed cross-ties be renewed promptly, about 20 per cent. of all ties now in track requiring such renewal; that the worn 60-lb. rail be replaced; that the cattle guards now on hand be promptly put in, and that proper guard fences be built.

A copy of this report was forwarded to the manager of the company, who replied that the recommendations suggested would be complied with; and later, reported that all repairs had been made.

CARTHAGE AND COPENHAGEN RAILROAD.

On July 23 and 24, 1907, I inspected the Carthage and Copenhagen Railroad, and respectfully submit the following report:

The Carthage and Copenhagen railroad extends from a connection with the Rome, Watertown and Ogdensburg division of the New York Central

and Hudson River railroad at West Carthage, to Copenhagen, a distance of 8.70 miles, single track, and has about 0.20 miles of sidings and yard tracks.

This road was constructed last year, and most of the track laid during the winter. The difference in elevation between the two terminals of the road is about 500 feet. The line of the road is very crooked, but curves generally light, the maximum being 6 degrees. The greater portion of the road is on grade and those grades are considerably broken; the maximum is about 119 ft. per mile. There are no heavy cuts or high embankments, and the work of construction was generally light. Some of the cuts and embankments were made rather narrow, and materials washed down from the slopes of the cuts have filled to a great extent most of the ditches.

No large streams are crossed and there is but one opening to grade: that is a culvert of about 16-ft. span, with I-beams and concrete masonry; the ties are of standard dimensions, but it has only a plank guard timber. The other openings through embankments for passage of water and for cattle passes are concrete arch and box culverts and cement pipe drains, all well constructed, although in all probability the cement pipe will have to be replaced within a few years as cement pipe does not last under a railroad track where there is so severe frost as in that section.

The cross-ties, mainly cedar, with some tamarack and various hard woods, are 6 x 8 in., 8 ft. in length, and laid at the rate of 2,640 to the mile of track; in some places, however, not more than 2,400 to the mile are used for short distances; all are full spiked and new. The track is laid with second-use 60-lb. steel rail, connected generally by angle plates 24 in. in length with four bolts; a few 24-in. fish plates are used. All connections are full bolted, and bolts tight. About 2½ miles of this rail nearest Carthage is very much worn and surface bent, and much of it should be replaced; on the balance of the road the rail, while somewhat old, is in fair condition for the light traffic and slow speed maintained (about 17 miles per hour). The main track switches are split point and have automatic stands with proper targets. The frogs are rigid. There are no sidings where derailing switches appear necessary. The alignment and surfacing of the track are very poor: a little cinder ballast has been used in spots, but nearly all the road is unballasted, and the material is of such a nature that unless the road is ballasted this season and proper ditches made, it will be practically impossible to operate it with safety during the coming winter. Very little ballasting is apparently now being done, and men were engaged taking material from the sides with which to surface the track.

The right of way is cleared of all excepting a few small trees. Fences of woven wire have been built on a great portion of the road. The highway crossings are fairly well graded, planking in good condition, and are protected by signs of the diamond form suitably placed, new and well painted. No cattle guards are maintained. A foreman and twenty-three laborers are now engaged surfacing the track and cleaning ditches, but as they have no train, while they can smooth up the track and keep it fit for operation through the summer, they can only work to poor advantage and what they do will not effect permanent improvement. A train should be put on at once, with a large force, to widen cuts and embankments, clean ditches, and ballast the track. No mile or whistle posts have yet been erected.

The only station building maintained is an old frame building at Copenhagen, which is being used temporarily, it being planned to erect a new station there.

The road owns one small locomotive, old and apparently not in the best of condition, one small combination baggage and passenger car in fair condition, and no other rolling stock. The locomotive and the car have automatic couplers and air brakes.

Recommendations: That narrow cuts be widened and thoroughly ditched; that the weak embankments be reinforced, and some of the embankments which are very much sagged be raised to a suitable grade; that the much worn and bent rails be replaced where necessary; that the road be ballasted and the track put in proper alignment and surface so that it can be safely

operated; that the remaining trees on the right of way be cut and removed, the building of fences completed, and cattle guards with proper guard fences be maintained at each boundary of all the highways crossed at grade.

A copy of this report was submitted to the president of the company, who replied that all the recommendations had been complied with except the replacing of the rails, and this work was in progress.

GREENWICH AND JOHNSONVILLE RAILWAY.

On July 16, 1907, I inspected the Greenwich and Johnsonville Railway, and respectfully submit the following report:

The Greenwich and Johnsonville railway extends from a connection with the main line of the Boston and Maine railroad at Johnsonville to a connection with the Schuylerville branch of that company's railroad at Schuylerville, a distance of 21.24 miles, single track, and has about 2.25 miles of sidings and yard tracks.

The portion of this railroad from Johnsonville to Greenwich was constructed many years ago; the portion from Greenwich to Schuylerville, about 6.6 miles, was built about five years ago. The older portion of the road was very well graded, and the drainage is very good; on the newer portion of the road there are many cuts, through clay and quicksand material; where the slopes have washed badly, filling the ditches; the embankments have also washed down until they are narrow in places. The road is considerably crooked, but most curves are light; the maximum is 8 degrees. The grades are long but generally fairly regular; the maximum is 90 ft. per mile.

The iron bridges on the newer portion of the road are in good condition, except that they would be benefited by an additional coat of paint; on the older portion of the road some of the I-beam spans, notably Nos. 2, 10, 11, 16, 17, 26, and 27, while sufficient for the motive power and rolling stock owned by the company, are rather light for the modern rolling stock now being used, with their loading, and should be strengthened. The masonry is generally in fair to good condition, but that to bridges Nos. 24 and 29 (numbering from Johnsonville) should be rebuilt; and some repairs, to which the attention of the superintendent of the railroad who accompanied your inspector was directed, should be made to a few others. The ties and guard timbers are of standard dimensions, but in many cases need partial or entire renewal. New ties are needed on Nos. 2, 3, 8, 22, 23, and 31; new guard timbers on Nos. 2, 3, 4, 11, 12, 13, 14, 15, 16, 17, 20, 22, 26, 29, and 31; and an occasional new tie or piece of guard timber on a few others. A wooden Howe truss bridge spanning the Hoosick river at Johnsonville, together with trestle approaches at either end, was recently destroyed by fire, and passengers and baggage are transferred at that place to and from the Boston and Maine station, a distance of about one-quarter of a mile, by team; and all freight for the road has now to go by way of the Boston and Maine Railroad to the Schuylerville connection. Arrangements are made for building a steel bridge. There is but one timber trestle remaining; that is at Greenwich; it is of framed bent construction, of yellow pine timber, and in proper repair. Inside guard rails are not maintained excepting on a few of the longer bridges. Most of the open culverts and cattle passes have I-beam stringers; a few are of timber, but of sufficient strength and in fair condition. The arch and box culverts and iron pipe drains are apparently in proper condition.

The cross-ties on the older portion of the road are about 60 per cent. oak and 40 per cent. chestnut; on the newer portion they are practically all tamarack; the standard dimensions are 6 x 8 in., 8 ft. in length, and they are laid at the rate of 2,816 to the mile of track: all are full spiked and fairly well spaced. On the older portion of the road the ties are generally in fair condition, although some places were noted where there are too many poor

ones alongside each other; and approximately 10 per cent. of all need renewal this season. On the newer portion of the road the ties are getting badly decayed, and while extensive renewals are being made those renewals should be hurried, and approximately 40 per cent. of all ties on that portion of the road should be renewed. About 2.85 miles of main track are laid with 74-lb., 4 miles with 67-lb., 2 miles with 65-lb., 4 miles with 60-lb., and the remainder, 8.40 miles, with 56-lb. steel rail. Nearly all the rail is connected by angle plates 24 in. in length with four bolts; a few fish plates are still in use on the lighter rail; all the connections are full bolted, but a few loose bolts were observed in the connections of the lighter rail. The 56 and 60-lb. rail is considerably worn, and while considerable renewal has been made since the last inspection (June, 1905), additional renewals are needed. With the exception of one three-throw stub switch in the Greenwich yard, all the main track switches are split point, and have automatic stands with well painted targets. Switch lamps show red light for danger and white for safety. The frogs are rigid and in fair condition. Some derailing switches have been put in sidings connecting with the main track; other sidings were noted, and attention directed to them, where derails are needed; also targets are lacking on some of the stands of derailing switches now in. The alignment and surfacing of the track are fair for the moderate speed at which the trains are scheduled, and the outer rail on curves about correctly elevated. The track is ballasted with gravel in from medium to fair quantity.

One track of the Boston and Maine railroad is crossed at grade at Johnsonville; the crossing is protected by a semaphore signal, and all trains are required to come to a full stop. One track of the Hudson Valley railway (electric) is crossed at grade at Thompson; also two tracks of a tramway belonging to the United Box Board and Paper Company are crossed at grade at the same place; there are no derailing switches in the track of the electric road, nor is there protection over the trolley wire; the crossing is protected by a flagman, and all trains are required to come to a full stop.

The right of way is clear and clean on the old road; on the newer portion some brush remains; grass and weeds were being cut when the inspection was made. The fences are of wire and considerably in need of repair. The highway crossings are very well graded, planking in good condition, and are protected by signs of the finger board or diamond design that are suitably placed and fairly well painted. Wood and metallic slat cattle guards are maintained on the older portion of the road, but there are none on the newer portion. One highway crossing is protected by a flagman, and the remaining 23 by crossing signs only. There are no overhead obstructions. The movements of trains are governed by orders issued by telephone.

The track sections are about 7 miles in length, and the force employed on each consists of a foreman and seven laborers. Each gang is furnished with proper means for protecting its work. All portions of the track are patrolled daily by some member of the section force. An extra gang, consisting of a foreman and ten men, is employed putting in new ties between Greenwich and Schuylerville.

The station buildings are generally small, but apparently sufficient for the requirements; they are not in the best of repair and several of them are practically devoid of paint; they are suitably furnished.

The equipment owned by the road consists of three locomotives, the heaviest weighing about 51 tons; one coach, three combination baggage and passenger cars, one box, two flats, and ten gondolas, all equipped with automatic couplers and air brakes. The cars are lighted with oil lamps and heated by stoves. Water for drinking purposes is provided, and emergency tools are properly located in the cars. All passenger-train employees wear uniform.

Recommendations: That the necessary widening of cuts and embankments be done, and ditches cleaned; that the iron bridges be repainted to prevent injury from rust; that the light bridges be strengthened, masonry rebuilt or repaired, and new ties and guard timbers put on as indicated in the report; that the necessary renewal of cross-ties be made promptly; that the neces-

sary additional renewal of rail be made, and all track bolts made tight; that derailing switches be maintained in all sidings connecting with the main track upon which cars are left standing, where the grade descends toward the main track, and that targets be put on the stands of all derailing switches; that all brush on the right of way be cut and removed, fences put in proper repair, and that cattle guards with suitable guard fences be maintained at each boundary of all the highways crossed at grade; and that necessary repairs be made to station buildings and necessary repainting done.

A copy of this report was submitted to the president of the company, who replied that all the recommendations would be complied with; and later, has reported progress.

BOSTON AND MAINE RAILROAD.

On July 17 and 18, 1907, I inspected the portion of the Boston and Maine Railroad in the State of New York, and respectfully submit the following report:

The main line of the Boston and Maine railroad in this State extends from the Vermont-State line to a connection with the West Shore railroad at Rotterdam Junction, a distance of about 54.89 miles, all double track excepting for about a-half mile at the crossing of the Mohawk river near Rotterdam Junction; about 6.94 miles of the second main track, however, is owned by The Delaware and Hudson Company and is operated jointly as a double track by the two railroad companies; this portion of the track is located between Coons and Crescent. From Johnsonville east the main tracks are widely separated for most of the distance, having originally been two separate railroads. The Troy branch extends from a connection with the main line at Johnsonville to Troy, about 15 miles. This has been a single track railroad, but a second main track is now being constructed and the work of construction is well under way; about three miles of the second main track has already been put in use. The Saratoga and Schuylerville branch extends from Mechanicville to Saratoga, the Schuylerville branch connecting at East Saratoga and extending to Schuylerville; the length of the two branches is 25.82 miles, single track. The Bennington branch connects with the main line at Hoosick Junction, and the portion in this State extends to the Vermont-State line, a distance of 5.04 miles. There are on the entire road in this State about 75.50 miles of sidings and yard tracks.

The roadway is generally well graded. A few slippery clay cuts between Johnsonville and Mechanicville on the main line, and near Mechanicville on the Saratoga and Schuylerville branch, have slopes washed to some extent, partially filling the ditches. These ditches have been cleaned this season, but recent storms have again filled them and arrangements are made for re-opening them. No sub-drains are used.

All bridges in the roadway of the main line are of steel or iron, in first-class condition and properly painted, and have standard floor systems well maintained. Inside guard rails are laid on the longer bridges. The steel and iron bridges on the other lines are in similar condition. There is on the Bennington branch a wooden Howe truss bridge consisting of three spans: one, 50 ft. in length; one, 160 ft.; and the other, 120 ft. The 50-ft. span is supported on timber bents. This entire structure, while it has been in use a long time, is in very good condition and the longer spans strengthened by a timber arch; they are deck bridges and are covered. The only timber trestle remaining in the main line consists of seven spans of framed bent construction at Johnsonville, and is in proper condition throughout. On the Saratoga and Schuylerville branch there yet remain a large number of pile and framed bent trestles; they are of standard construction and in fair condition. Arrangements are made for making any necessary repairs. All the open culverts and cattle passes on the main line, Benning-

ton and Troy branches, and most of those on the Saratoga and Schuylerville branch, have I-beam stringers; a portion of those on the Saratoga and Schuylerville branch have timber stringers, of sufficient strength and in good condition. The ties and guard timbers on bridges, trestles, open culverts, and cattle passes are of standard dimensions and well maintained. The masonry to all the structures is in good condition. The arch and box culverts and iron pipe drains are properly maintained.

The cross-ties in the main line, Bennington branch and Troy branch tracks, are about 25 per cent. yellow pine and the balance mixed cypress, oak, and chestnut; in the track of the Saratoga and Schuylerville branch about 75 per cent. chestnut, and the balance oak and cedar; the standard dimensions are 6 x 8 in., 8 feet in length, and they are laid at the rate of 2,992 to the mile of track; they are very well spaced, full spiked and in very fair condition, necessary renewals having been or are being made. About 17 per cent. of all the cross-ties have been renewed since the last inspection (June, 1905). About seven miles of the main line track are laid with 76-lb. steel rail, connected by angle plates 24 in. in length with four bolts; and the remainder with 85-lb. steel rail, connected by continuous rail joints 24 in. in length and 24-in. Weber joints, with four bolts. About 12 miles of new 85-lb. steel rail have been laid since the last inspection. The Troy branch has about 11½ miles laid with 75-lb. steel rail, and the remainder with 76-lb. steel rail, connected mainly by Weber joints 24 in. in length with four bolts. A few Fisher joints are still in use. In this track, 11½ miles of 75-lb. rail have been laid new since the last inspection. The Bennington branch has one mile laid with 72-lb., and the remainder with 76-lb. steel rail, connected by continuous rail joints 24 in. in length with four bolts. The rail is in very good condition, and renewals are being made as rapidly as necessary. All the connections are full bolted, and no loose bolts were observed. The Saratoga and Schuylerville branch has about 11 miles of track laid with 76-lb., and the balance with 56-lb. steel rail, mainly connected by Weber joints and angle plates 24 in. in length with four bolts; a small portion of the 56-lb. rail is connected by fish plates 24 in. in length with four bolts. The 76-lb. rail is in good condition; the 56-lb. rail is considerably worn and much of it is now being replaced. All the connections are full bolted, but there are some loose bolts in the connections of the lighter rail. All main track switches, excepting one stub switch in the Saratoga yard, are split point and have automatic stands; the targets are well painted. Switch and semaphore lamps show red light for danger and white for safety. All main track frogs, excepting a few on the Saratoga and Schuylerville branch, are spring rail, and all appear to be properly maintained. Derailing switches are in all sidings connecting with the main track on which cars are left standing, where the grade descends toward the main track; a few were observed where the stands lacked targets. The alignment and surfacing of the track are good, and the outer rail on curves properly elevated. The track of the main line, Troy and Bennington branches is mainly ballasted with gravel in fair to good quantity; on the Saratoga and Schuylerville branch the ballast is gravel and cinders, and generally light. The general alignment is very good and most curves light, the maximum being 9 degrees. The grades are also generally light and regular: the maximum on the main line is 40 ft. per mile; on the Troy branch, 42 ft. per mile; on the Saratoga and Schuylerville branch, and the Bennington branch, about 53 ft. per mile.

The following named railroads are crossed at grade: Three tracks of The Delaware and Hudson Company's railroad by a freight yard track at Mechanicville; the crossing is protected by an interlocking plant. One track of the Greenwich and Johnsonville railway at Johnsonville; the crossing is protected by a semaphore signal, and all trains are required to come to a full stop. In the new arrangement of track at this place the crossing will be eliminated. One track of the Rutland railroad at Petersburgh Junction; the crossing is protected by an interlocking plant. One track of the Bennington and Hoosick Valley railway (electric) is crossed by the main track

and three sidings, on River street, Hoosick Falls; there are no derailing switches in the track of the electric railroad, but there is a proper protection over the trolley wire. Interlocking plants are maintained at the following places: At connection with the West Shore railroad at Rotterdam Junction; with The Delaware and Hudson Company's track at each end of the Mechanicville yard, the one at the easterly end also governing the movements of trains to and from the Boston and Main yard at that place; and at the crossing of the Rutland railroad at Petersburgh Junction.

The movements of trains are governed by the telegraphic train order block system, and between Mechanicville and Crescent, where the double track is operated jointly with The Delaware and Hudson Company's railroad, the movements are also governed by electric block signals; and electric block signals are now being installed on the remaining portion of the main line.

The right of way is clear and clean. Grass and weeds were being cut when the inspection was made. The fences are of wire and in good condition, excepting on the Saratoga and Schuylerville branch where some repairs are needed. Considerable new fence has been built on that branch since the last inspection, and additional repairs are being made. The highway crossings are well graded, properly planked, and protected by signs of the finger-board design, suitably placed and well painted generally. Wooden slat cattle guards with proper guard fences are maintained at the grade crossings of highways, excepting on the portion between Coons and Crescent, and where the track is maintained by The Delaware and Hudson Company; on that portion of the road there are no cattle guards. A few cattle guards were observed on other portions of the road needing repair. Ten highway grade crossings are protected by flagmen, six by flagmen and gates, three by electric bells, and the remainder by crossing signs only. Mile and whistle posts are properly maintained, and on the greater portion of the road are of stone. All overhead obstructions are protected by warning signals, well maintained.

The track sections of the main line are about 3¼ miles in length, and of the branch lines 5 miles in length. The force employed upon each consists of a foreman and six laborers. Each gang is furnished with flags, lanterns, and fusees, and all portions of the road are patrolled daily by some member of the section force.

The station buildings are very well maintained and properly furnished; water for drinking is provided, and time-tables are posted in the waiting rooms. The station platforms are of plank and gravel and well maintained. The station grounds and yards are well kept. Fire protection is furnished at all the principal stations. Stations employees are uniformed and wear a badge indicating their employment.

All the passenger equipment observed was apparently in good condition. The cars are equipped wtih automatic couplers and air brakes, are heated by steam, and lighted with Pintsch gas or oil lamps. Drinking water is provided, and emergency tools are located in a box beneath the car seat. All passenger trainmen are uniformed. All freight equipment observed was in good repair and equipped with automatic couplers and air brakes.

Recommendations: That necessary cleaning of ditches be done; that insids guard rails be maintained on all bridges; that necessary renewal of rail be made on the Saratoga and Schuylerville branch, and loose track bolts be made tight; that the stub switch on that branch be replaced with a split point switch; that targets be put on the stands of derailing switches where now lacking; that additional necessary repairs be made to fences of the Saratoga and Schuylerville branch; that cattle guards with proper guard fences be put in where now lacking between Coons and Crescent on the main line, and that necessary repairs be made to other cattle guards.

A copy of this report was submitted to the third vice-president and general manager of the company. Some of the recommendations were included in joint occupancy of certain track, and the question of responsibility is now

pending; other recommendations were complied with. Relative to the matters pending, the inspector made a supplementary report, under date of October 18, 1907, as follows:

Betweens Coons and Crescent, the Boston and Maine railroad has a single track and The Delaware and Hudson Company a single track close alongside; these two tracks are operated jointly by the two roads as a double track railroad, and the tracks, etc., are maintained by The Delaware and Hudson Company. The Boston and Maine on other portions of its road maintains cattle guards; on this portion, which is maintained by The Delaware and Hudson Company, there are no cattle guards. Neither has The Delaware and Hudson Company cattle guards on any portion of its line. The law requires cattle guards to be maintained, and in all my inspections of The Delaware and Hudson Company's road I have recommended that they be maintained. It would appear, from the fact that The Delaware and Hudson Company maintains the tracks, etc., between Coons and Crescent, that the duty of maintaining cattle guards between those places is also the duty of that company; but as the Boston and Maine railroad owns a track there, when I made the inspection of that company's road I recommended in my report that the cattle guards be maintained.

UNADILLA VALLEY RAILWAY.

I made an inspection of the Unadilla Valley Railway on August 2, 1907, and respectfully submit the following report:

The Unadilla Valley railway, a single track road, connects with the New Berlin branch of the New York, Ontario and Western railway at New Berlin, and extends to Bridgewater, on the Richfield Springs branch of the Delaware, Lackawanna and Western railroad, a distance of 19.14 miles, and has 1.80 miles of sidings and yard tracks. The general alignment of the road is good, and all curves light. The grades are also light. The roadbed is very well graded and properly drained.

There are no steel or iron bridges, no overhead bridges or other overhead obstructions. No large streams are crossed, and the smaller streams are crossed on trestle structures. Trestle structures are also used for most undercrossings and cattle passes. The smaller open culverts and some of the cattle passes have timber bents, planked behind to support the embankments, for abutments; a few have abutments of masonry. The timber structures are generally in fair condition; a few were observed, and attention directed to them, where repairs are needed; and assurance was given your inspector that such repairs would be promptly made. Inside guard rails are maintained on all except short openings. There are no arch culverts. The stone box culverts and iron pipe drains are apparently in good condition.

The cross-ties are 6 x 8 in., 8 feet in length, and laid at the rate of 2,816 to the mile of track; about 10 per cent. of them are in condition requiring renewal; new ties are distributed and men now engaged putting them in; all are full spiked. About 4 miles of the track are laid with 70-lb., and the remainder with 56-lb., steel rail. The 70-lb. rail is in good condition; some 56-lb. rails were observed that had been worn by slipping drivers and should be replaced. The rails are connected by angle plates 24 inches in length with four bolts. The connections are full bolted and bolts tight. The main track switches are split point, and most stands rigid; all have proper targets. Switch lamps show red light for danger and white for safety. The frogs are rigid and in suitable condition. The alignment and surfacing of track are fair for the moderate speed maintained. The track is ballasted with gravel in medium quantity; some re-ballasting has been recently done.

The right of way is free from trees, brush, and rubbish. Grass and weeds are being cut. The fences are of wire and somewhat out of repair. The

highway crossings are well graded, properly planked, and protected by signs of the X form; some crossing signs, however, are on too short posts and should be raised that they may be more plainly visible. The cattle guards are of the wooden slat pattern; quite a number are out of repair, and in some cases they are lacking. Mile posts are not maintained. The whistle posts are properly located.

The track sections are about 6¼ miles in length and the force employed on each varies from a foreman and four laborers to a foreman and eight laborers. Each gang is furnished with flags and lanterns. The trains are operated by telegraph or telephone train orders.

The station buildings are small and old, but in fair repair, and are apparently sufficient for the requirements; they are properly furnished.

The equipment consists of two locomotives, weighing about 60 tons each; two combined passenger and baggage cars, five flat, and four box cars; all equipped with automatic couplers and air brakes. Passenger cars are heated by steam and lighted with oil lamps; water for drinking is provided, and emergency tools are properly located in the car. One of the combination cars has platforms needing repairs, the buffers having been broken off; and practically none of the rolling stock can be considered in first-class condition. The passenger trainmen wear uniform.

Recommendations: That necessary repairs, to which attention was directed, be made to the trestle, open culvert, and cattle pass structures; that necessary renewal of cross-ties be made; that the worn rails be replaced, fences put in proper repair, and low crossing signs raised to the proper height; that missing cattle guards be replaced and necessary repairs be made to others; and that necessary repairs be made to the rolling stock.

A copy of this report was transmitted to the general manager, who reported that the recommendations would be complied with; and later, report was made covering in detail the progress of repairs and additions.

DELAWARE AND EASTERN RAILROAD.

On July 30 and 31, and August 1, 1907, I inspected the Delaware and Eastern Railroad, and respectfully submit the following report:

The Delaware and Eastern railroad, which was completed and put in operation within the past year, consists of a main line from a connection with the Ulster and Delaware railroad at Arkville to a connection with the New York, Ontario and Western railway at East Branch, 37.52 miles, and a branch line which connects with the main line at Union Grove and extends to Andes, a distance of 7.05 miles; all single track; and has about 2.50 miles of sidings and yard tracks.

The road is considerably crooked, following as it does for nearly the entire length of the main line the east branch of the Delaware river, the Andes branch passing through a valley generally narrow; the maximum curve of the main line is 10 degrees, located at Harvard, and of the branch line 12 degrees, near Andes. The grades of the main line are generally light, the maximum being 48 ft. per mile for about half a mile near Arkville; the grades of the Andes branch are fairly steep, the maxiumm being 78.7 ft. per mile for a considerable portion of the distance. On both lines there are many narrow cuts, a large proportion of them being side-hill cuts. Some slopes are steep, and there is considerable loose rock remaining on the slopes. The ditches are generally light, and in many cases filled with material washed down from the slopes. Some embankments are narrow, and a few of them have not yet been brought to grade. A work train with about forty men is now engaged widening cuts and embankments and cleaning ditches.

The iron bridges are all in good condition with masonry of either stone or concrete; the ties and guard timbers are of standard dimensions, and being

new are all in sound condition. Inside guard rails are not maintained. The metal work is generally well painted. There are no long span wooden bridges, and no overhead obstructions. There are quite a number of framed or pile bent timber trestles, mainly of hemlock, all of standard construction, with proper ties and guard timbers. Most open culverts and cattle passes have concrete masonry, with timber stringers, mainly of hemlock; a few I-beam stringers are used, and I-beam stringers are on hand with which to replace the timber stringers. Where I-beams have been put in, standard ties and guard timbers have been put on. On some of the timber stringers common ties are used, and guard timbers are lacking; the attention of the officer of the railroad in charge of maintenance matters was directed to such cases, and assurance given that the I-beams and standard floors would be put in promptly. The arch and box culverts, mainly of concrete, are in good condition. Iron pipe drains are used to a considerable extent, and are apparently well put in.

About 25 per cent. of the cross-ties are yellow pine, and the balance hemlock, beech, birch, and other native timbers; the standard dimensions are 6 x 8 in., 8 ft. in length, and they are laid at the rate of 2,816 to the mile of track; the cross-ties are fairly well spaced and full spiked. The track is laid with 67-lb. steel rail, connected by angle plates 20, 24 and 30 in. in length with four bolts. The rail was second-hand, and while generally in fair condition for the light traffic and moderate speed maintained, a few rails were observed and attention directed to them, that on account of being bent should be replaced. A very few connections were noted where bolts were missing, and some loose bolts were observed. All main track switches are split point, and have automatic stands with proper targets. Switch lamps show red light for danger and white for safety. All frogs are rigid. There are no derailing switches, and no places were observed where they were apparently needed. The alignment and surfacing of track are only ordinary, but are being improved. The track is lightly ballasted with gravel.

A few small trees and some brush remain on the right of way. Grass and weeds were being cut when the inspection was made. Only about one-fourth of the right of way has yet been fenced, these fences being of wire. The highway crossings are fairly well graded and protected by signs of the X form. No cattle guards have yet been put in. There are 21 highway grade crossings, all protected by crossing signs. No mile or whistle posts have been erected, but miles are marked on nearest telegraph pole.

The track sections are about 6 miles in length, and the force employed upon each consists of a foreman and six to seven laborers. Each gang is furnished with flags and lanterns, and all portions of the road are patrolled daily by some member of the section force. No interlocking plants are maintained. The movements of trains are governed by the telegraphic train order system.

The station buildings are all new, apparently sufficient for the requirements, and properly furnished. excepting that as yet there are no closets except at Downsville: this lack is now being provided for. The road has erected seven quite extensive milk stations.

The equipment consists of four locomotives, the heaviest weighing about 63 tons complete; three coaches, three combined passenger and baggage cars, eight milk cars, twenty box, forty flat, and one caboose. All have automatic couplers and air brakes. The passenger cars are heated by steam and lighted with oil lamps; water for drinking is provided, and emergency tools are properly located in the cars. Passenger trainmen and station employees wear uniform.

Recommendations: That the narrow cuts be widened and re-sloped, ditches cleaned, weak embankments reinforced, and low ones raised to grade; that the I-beam stringers now on hand be put in as promptly as possible, replacing timber stringers, and that standard ties and guard timbers be put on; that the worn and bent rails be replaced, all connections be full bolted and loose bolts made tight; that the track be put in proper surface and alignment; that the few remaining small trees and the brush on the right

of way be cut and removed; that the entire right of way be properly fenced, and cattle guards with suitable guard fences be maintained at each boundary of all the highways crossed.

A copy of this report was transmitted to the general manager of the company, and the president of the company replied, stating that the improvements suggested were in progress and would be completed as early as possible.

FONDA, JOHNSTOWN AND GLOVERSVILLE RAILROAD.

On August 5 and 6, 1907, I made an inspection of the steam operated portion of the Fonda, Johnstown and Gloversville Railroad, and respectfully submit the following report:

The main line extends from a connection with the New York Central and Hudson River railroad at Fonda to Northville, 25.50 miles; the Broadalbin branch connects with the main line near Gloversville, and extends to Broadalbin, a distance of 6.20 miles; all single track, with about 5 miles of sidings and yard tracks.

From Fonda to Gloversville the main line is considerably crooked, although the curves are not generally sharp; there is one, however, in Fonda, of 12 degrees. On the remaining portion of the main line and on the Broadalbin branch the alignment is good and curves light. The grade from Fonda, for a distance of about 2½ miles, is rather steep, being at the rate of about 111 ft. per mile; on the remaining portion of the main line and the branch the grades are light. The road is well graded and thoroughly drained.

The iron bridges are all in first-class condition, well painted, and all but two have good masonry; those two are low structures and in a swamp; they have pile abutments in sound condition. The ties and guard timbers are of standard dimensions and generally well maintained; a few ties and guard timbers were noted, and attention directed to them, that require renewal. Inside guard rails are maintained on all. There are no wooden bridges or timber remaining. All open culverts and cattle passes that formerly existed, with one exception, have been covered with solid flooring of rails and the track ballasted over them; the one exception is on the Broadalbin branch: it has good masonry and sufficient timber stringers, but has common ties and no guard timber. It is planned to put in at this place a solid flooring of rails and ballast the track over them. The arch and box culverts and iron pipe drains are all in good condition.

The cross-ties, nearly all of cedar, are 6 x 8 in., 8 ft. in length, and laid at the rate of 2,816 to the mile of track; all are full spiked; tie-plates, double spiked on the outside, are used on the sharp curves. The general condition of the cross-ties is good, necessary repairs having been or are being made. About 1.50 miles of the main line main track are laid with 80-lb.; 6 miles with 75-lb.; and the remainder, 18 miles, with 70-lb. steel rail. The 80-lb. rails are connected by Weber joints 24 in. in length with four bolts; the 75-lb. rails by angle plates 36 in. in length with six bolts, and the 70-lb. rail by angle plates 24 in. in length with four bolts. The Broadalbin branch is laid with 56-lb. steel rail, connected by angle plates 24 in. in length with four bolts. The rail of the main line is in first-class condition; the rail on the Broadalbin branch is somewhat worn, but in fair condition for the light traffic and moderate speed maintained there. All the connections are full bolted, and no loose bolts were observed. All main track switches are split point; on the main line all have automatic stands, and on the Broadalbin branch rigid stands; the targets are in proper condition. Switch lamps show red light for danger and white for safety. The main line frogs are spring rail, and the Broadalbin branch, rigid; all properly maintained. Derailing switches are in all sidings connecting with the main track upon which cars are left standing, where the grade descends toward the main track; but in most cases the stands lack targets. The alignment and surfacing of track

are good. The main line is ballasted with gravel in fair quantity; the Broadalbin branch with sand, also in fair quantity.

Tracks of the electrically operated portion of the Fonda, Johnstown and Gloversville railroad are crossed at grade as follows: One track on Perry street, Johnstown; two tracks on South Main street, and one track on North Main street, Gloversville, and one on Kingsboro avenue; there are derailing switches in the track of the electric road at each of the crossings, but no protection over the trolley wire.

The right of way is entirely free from trees, brush, and rubbish. Grass and weeds were being cut when the inspection was made. Fences are of wire; on the main line they are in fair condition, on the Broadalbin branch, poor, and for a considerable distance lacking. The highway crossings are properly graded, well planked, and protected by signs of the diamond or triangular form excepting in the cities of Johnstown and Gloversville, where no crossing signs are maintained. Metallic slat cattle guards are used on the main line; some are lacking. No cattle guards are used on the Broadalbin branch. Five highway crossings of the main line are protected by flagmen. Mile posts are maintained, and the whistle posts are properly located.

The track sections are about 5.3 miles in length, and the average force maintained upon each consists of a foreman and five laborers. Each gang is provided with flags, lanterns, and torpedoes, and all portions of the road are patrolled daily by some member of the section force.

The station buildings are large, in good repair, and thoroughly well furnished; at Johnstown and Gloversville there are maintained very large brick buildings.

The motive power and rolling stock are in first-class condition, all equipped with automatic couplers and air brakes. Passenger cars are heated by steam and lighted with oil lamps; water for drinking is provided, and emergency tools are properly located in the center of the car. Employees at stations and passenger trainmen wear uniform.

Recommendations: That necessary repairs be made to ties and guard timbers of bridges; that targets be put on the stands of derailing switches; that necessary repairs be made to fences; and that cattle guards with proper guard fences be maintained at each boundary of all the highways crossed at grade.

A copy of this report was transmitted to the general superintendent of the company, who reported that instructions had been issued putting in effect all the recommendations; and later, report in detail was made as to completion of work.

NEW YORK CENTRAL, HUDSON RIVER AND FORT ORANGE RAILROAD.

On August 9, 1907, I inspected the New York Central, Hudson River and Fort Orange Railroad, and respectfully submit the following report:

The New York Central, Hudson River and Fort Orange railroad is practically a switching track for handling cars between the New York Central and Hudson River railroad station at Castleton and the mills of the Fort Orange Paper Company. The length of the road is approximately 1 mile, and it has in the vicinity of the mills approximately a mile of sidings and yard tracks.

The only equipment of the company consists of one small locomotive. The road is considerably crooked and the curves frequent and sharp. The grades are very light excepting in the yard at the paper mill, where tracks leading to coal trestles are steep. The grading was very light, there being only very small cuts and embankments. The embankments are of fair width. Some of the cuts are rather narrow, and ditches in poor condition.

There are no bridges, and only two very small openings to grade, the longest not exceeding a 5-ft. span and being only about 2 ft. in height; these have

timber mudsills and stringers; at one, nearest the mill, the rail is laid directly upon the stringer. Both those openings are in poor condition, and your inspector was advised that they would be replaced with concrete masonry and proper stringers in the immediate future. One coal trestle on a switch in the yard at the mill needs X-bracing of bents and about double the number of ties now there. The approach to this trestle is on a very steep grade and a very sharp curve, necessitating running with considerable speed in order to get cars up. This curve can and should be reduced, to make it safer, and also double the number of ties now there used to hold the track in proper condition. The general manager of the company advised me that this would be promptly done.

The cross-ties in the main track are mainly of yellow pine, 6 x 8 in., 8 ft. in length, and laid at the rate of 2,816 to the mile; they are fairly well spaced and full spiked; about 10 per cent. of them are considerably decayed, and should be renewed. The track is laid with mixed rail varying from 50 to 60 lb. per yard, connected by angle and fish plates 24 in. in length with four bolts; a few of the plates are broken, some bolts missing, and many loose. Both split point and stub switches are in use, and nearly all have rigid stands without targets. The frogs are rigid. The alignment and surfacing of the track are somewhat irregular, and the outer rail on curves elevated sufficiently for the slow speed at which the trains operate (six to eight miles per hour). The track is ballasted with cinders in light quantity. I was advised that additional ballasting would be done; the alignment and surfacing of track improved; the worn rails, of which there are many, replaced; necessary renewal of cross-ties made, and the track put in improved condition.

The right of way is not defined; the track runs close alongside a highway and on property owned by the railroad or the mill company owning the railroad. No fences are maintained, and under the conditions none are apparently necessary. A few trees were observed standing so close to the track as to be a menace, and promise was made that they would be promptly removed. There is but one highway crossing: it is well graded, properly planked, and protected by a sign of triangular form.

No regular track force is employed: men engaged about the mill do whatever work is necessary. When the inspection was made, grass and weeds and small brush near the track were being cut.

The road owns no station buildings. No regular trains are run or passengers carried. There is one mill other than that owned by the company owning the railroad, located at about the same point as its mill, and the only business aside from that of hauling the Fort Orange Paper Company's freight is freight for the mill referred to.

Recommendations: That the ditches be cleaned, additional ballast put in and worn rails replaced; also that the broken connections be replaced, missing track bolts supplied, and all made tight; that the two small open culverts referred to be rebuilt; that the additional ties mentioned in the body of the report be put in on the coaling trestle and track leading to it, and the curve on that track reduced, to insure greater safety; that when new rail is put in the stub switches be replaced with split point switches; that necessary tie renewals be made; that targets be put on the switch stands; and that the trees on the right of way be cut.

A copy of this report was transmitted to the general manager of the company, who replied that the suggestions would be complied with; and later reported that all the work had been completed.

BUFFALO, ATTICA AND ARCADE RAILROAD.

I have inspected the Buffalo, Attica and Arcade Railroad (September 17, 1907), and respectfully submit the following report:

The Buffalo, Attica and Arcade railroad extends from a connection with the Buffalo division of the Erie railroad at Attica to Arcade, a distance of 28

miles; is a single track road, and has 2.25 miles of sidings and yard tracks. The road formerly connected with and trains ran to a junction with the Buffalo division of the Pennsylvania railroad at Arcade Junction; since the last inspection a connection has been made at Arcade with the new line of the Buffalo and Susquehanna railway and the trains run over the tracks of that railroad to a connection with the Buffalo division of the Pennsylvania at the same place as formerly; and the portion of the Buffalo, Attica and Arcade railroad between Arcade and the Junction, about 1.67 miles, is now out of use, and is not considered in this report.

The general alignment is very good, and all curves light excepting one of 9 degrees at the junction with the Erie railroad at Attica, and one of 22 degrees on the "Y" at Arcade. The grades are long and much broken; the maximum is about 75 ft. per mile.

The roadway was originally very well graded, but clay and quicksand cuts between Angelica and Varysburg have slopes that have slipped or washed in places, entirely filling the ditches. The embankments through that section have also slipped and washed, so that some of them are narrow, and in two places they have slipped to the extent that the ties at one end are supported on stringers which rest on blocking. It appears to be very difficult maintaining embankments in places where material underneath is almost constantly sliding and being washed away by a stream. Efforts to protect by driving piling at the foot of the embankments have not been successful, as the entire hillside seems to be moving; the movement, however, is very gradual, and apparently the only manner of dealing with the problem successfully is to continue the filling, using as light material as can be obtained. In some cases cinders have been put on; all cinders available have been used in that manner, and the general conditions so far as these embankments are concerned are better than when I last examined them. These places are carefully watched and trains operate slowly. Aside from the places referred to, the embankments are generally of fair width.

There is one iron bridge, a deck plate girder 35 ft. in length, which has abutments of stone and concrete. The bridge is in good condition and the masonry good; the ties are of standard dimensions and sound; plank, spiked to the top of the ties, are used for guard timbers. Masonry is constructed for two other bridges: No. 55, at Arcade, for two spans; on one of the spans I-beam stringers have been put in, but as the span is too great for them to support trains they are supported on trestle bents: and the other span has timber stringers also supported on trestle bents. The pier to this bridge is of concrete on pile foundation; the piles were cut off at what was then the surface of the stream; since then the bed of the stream has lowered about two feet, leaving the piles bare. This pier should be rebuilt or properly underpinned, as the exposed piling will not last very long. At the place where masonry was built for the other bridges, timber trestle is now maintained. There is one span of pony truss wooden bridge in the roadway near Attica which rests on pile bents and has a piece of pile trestle at either end; this bridge is getting old, and while safe for the motive power and rolling stock now used, will need renewal in the near future. There are a large number of timber trestles remaining of either pile or framed bents with timber stringers and standard ties, but in most cases plank spiked to the top of the ties are used in place of guard timbers, and no inside guard rails are maintained. An additional stringer on either side has been added to all the trestles, also to open culverts and cattle passes of 10 ft. or more span. Quite extensive repairs have been made to the trestle structures, and their general condition, aside from lack of proper guard timbers, is very fair. The open culverts and cattle passes are constructed entirely of timber; several have been rebuilt, and considerable repairs made to others; additional repairs and some renewals are, however, needed, to which the attention of the superintendent of the road who accompanied your inspector was directed; and assurance given that they would receive prompt and proper attention. There are no arch culverts. The stone box culverts were originally built either of poor stone or with poor foundations, and many of them have failed; some have

been replaced with iron or vitrified pipe, some have been repaired, and repairs are now being made to others. In several cases, the falling in of the culverts has caused washouts; and in two or three cases, temporary trestles are now in place at such washouts pending rebuilding or replacing the culverts.

The cross-ties, of oak, cedar and other native timbers, are 6 x 8 in., 8 ft. 6 in. in length, and laid at the rate of 2,640 to the mile of track; their condition is much better than at the time of the last inspection, but there are many poor ones yet remaining; and about 15 per cent. of all now in track should be replaced. They are fairly well spaced and full spiked. About two miles of the main track are laid with 56-lb. and the balance with 60-lb. steel rail. The 56-lb. rails are connected by angle plates 21 in. in length, and the 60-lb. by angle plates 22 and 24 in. in length with four bolts. The rail is much worn and bent, and a large portion of it should be renewed. Some track bolts are missing, and many loose. The main track switches are split point, and like the rail, are considerably worn; the switch stands are rigid, and targets not in the best of condition. No switch lamps are used, night trains not being operated. Derailing switches are in all sidings where their use appears necessary; some lack targets. There is very little ballast, and grass and weeds are growing freely between the ties. The alignment and surfacing of track are very irregular, and the elevation of the outer rail on curves somewhat so. The track sections are about 9 miles in length, and the force employed upon each consists of a foreman and four laborers. Each gang is furnished with flags and lanterns for protecting its work, and all sections of the road are patrolled daily.

The right of way is not defined, and is practically without fencing. At many of the farm boundary lines crossing the road there are open pit cattle guards, many of them in poor condition, and attention was directed to a number of them that should receive immediate attention. There are no trees remaining near the track, but quite an amount of small brush; grass and weeds have not been cut this season.

The highway crossings are well graded, planking in fair condition, and are protected by signs of the X form. Several crossings were observed, and attention directed to them, where brush to a considerable extent obstructs the view of approaching trains, and request made that the obstructions be removed. There are no overhead obstructions.

The movements of trains are governed by the telegraphic train order system. Mile and whistle posts are not maintained.

The station buildings are generally small, some of them old, but are clean, in fair repair, and apparently of sufficient size to meet the requirements.

The equipment consists of two small locomotives, old and apparently not in the best of condition; one new and one old combination car, the new car being in good and the old one in fair condition; one coach, one box car, and four flats; all equipped with automatic couplers and air brakes excepting the box car and the flats, which have no air brakes.

The principal repairs and improvements noted as made since the last inspection are as follows: About 16 per cent. of the cross-ties have been renewed; trestle No. 35 has been rebuilt entirely; Nos. 21, 38 and 39 substantially repaired, and an extra stringer added to all the trestle structures; Nos. 27, 29 and 30 have been filled; repairs have been made to a number of open culverts and cattle passes, and new ties put on several.

This road has been in generally bad condition for years, and only from very careful operation has it escaped the many opportunities for accident. It should not longer be permitted to operate unless prompt measures are taken to put it in reasonably safe condition.

Recommendations: That narrow embankments be widened and proper ditches made in the cuts; that about 15 per cent. of the cross-ties be renewed; that extensive renewal of rail be made; that all the connections be full bolted, and loose bolts tightened; that the track be ballasted sufficiently that it may be kept in proper alignment and surface; that the track be put in proper alignment and surface; that necessary repairs and renewals of bridges, trestles, open culverts, cattle passes, box culverts, and

open pit cattle guards indicated in the body of the report be made; that brush, grass, and weeds on the right of way be cut and removed; that proper fences be maintained; that the brush obscuring the view of approaching trains in the vicinity of highways be removed; and that cattle guards be maintained, and whistle posts erected.

A copy of this report was transmitted to the president of the company, who objected to some of the recommendations. The inspector was again called upon to report conditions, in connection with the reply of the president, and he reported as follows under date of October 15, 1907:

He says they are from time to time widening the narrow embankments and cleaning out the ditches, and propose to continue to widen these embankments as fast as the finances of the company will enable them to do so; that they have already done some of the work. A few of the embankments have slipped or been washed to the extent that the ties have to be supported on timber stringers resting on blocking; such embankments should be properly strengthened immediately; his letter would indicate that it is to be done gradually and as they can afford to do it.

As to renewal of cross-ties, from his letter it appears that that recommendation is being complied with.

Regarding renewal of rail, it was not contemplated in the recommendation that the entire rail of the road should be renewed, but that those in bad condition should be replaced; and this should be done without delay. He says that the rail connections will be fully bolted and the loose bolts tightened, thereby complying with that recommendation.

He also says that some ballasting has been done, and that they propose to do more; that they are keeping the road in proper alignment and surface for the traffic it has to carry. I am aware that the traffic of the road is light and the speed of trains moderate (about twenty to twenty-five miles per hour). It would not be reasonable to expect them to re-ballast the entire road at once, but some ballast should be put on at places needing it most, and a larger track force should be employed in order to get up the low joints and straighten out the numerous kinks in the track.

Regarding repairs and renewal of bridges, open culverts, cattle passes, box culverts, and open pit cattle guards, he says they have in a measure been provided for. This work as pointed out to the superintendent of the road, who accompanied your inspector on the trip over the road, should be taken care of very promptly, especially the open pit cattle guards, on many of which the stringers were so badly decayed that they were beginning to crush.

He says that grass, weeds and brush on the right of way will be cut and removed, as recommended.

Regarding fences and cattle guards, it is apparent that the company does not intend to comply with the recommendations regarding them. There is on the road very little fencing and practically no cattle guards, and the road runs for its entire length through grazing country. The law requires that fences shall be constructed and maintained sufficient to prevent cattle, horses, sheep, and hogs from going upon the road from the adjacent land, and that cattle guards shall be maintained at all road crossings. I am aware that since live stock is no longer permitted by law to roam at large, and herds of cattle are not driven along the highway as they were at the time the act was passed, and the farmer does not have to fence his grain field along the highway, the necessity for cattle guards is not apparent. The farmer fences the fields in which live stock is kept, and railroad companies should be compelled to maintain fences along the lines of their railroads at all such places. The Buffalo, Attica and Arcade Railroad Company has, practically, no fences, and horses, cattle, sheep, etc., roam upon or cross it at will. In most cases it maintains open pit cattle guards at farm boundary lines, to prevent cattle roaming from one farm to another. The claim that it is more expensive to maintain fences than to pay for stock killed is not a good argument. If the killing of the stock was the only thing likely to result

from their going upon the track, that would be all right; but there is danger to the train and its passengers, which is of far greater moment. Therefore, in my opinion, fences should be required.

Regarding brush obscuring the view of approaching trains at highway crossings, he says that will be removed. He also says that cattle guards will be maintained, and whistle posts erected where required. If no fences are maintained, cattle guards will not be of any use, excepting as they are now placed to keep cattle from roaming from one farm to another. As to the whistle posts, I do not understand that the law requires them, but I believe in their erection for the reason that they mark the place for the engineman to blow his whistle and commence ringing his bell.

NEW YORK AND OTTAWA RAILWAY.

I have made an inspection of the New York and Ottawa Railway, (August 16, 1907), and respectfully submit the following report:

The New York and Ottawa railway extends from Tupper Lake to the Canadian line at the St. Lawrence river, at which point it connects with the Ottawa and New York railway, which extends to Ottawa. The length of the New York and Ottawa railway is 68.51 miles, single track, and it has about 9.25 miles of sidings and yard track.

The road south of Moira is very crooked and the curves sharp, maximum about 12 degrees. The grades are steep and considerably broken; the maximum is 150 feet per mile.

On the southerly portion of the road there are some cuts, through material of a sandy or gravelly nature, that are rather narrow; on the remaining portion of the road the cuts are generally of fair width and proper slopes. Some embankments, especially between Moira and the St. Lawrence river, are narrow and should be reinforced; also some embankments through swamps between Santa Clara and Tupper Lake have sagged, making grades irregular. The ditches are generally in fair condition.

There are five steel or iron bridges. The one crossing the American channel of the St. Lawrence river is a fine structure, consisting of two spans of 370 ft. each, one span of 372 ft., and two plate girder spans, one at either end, of 61 ft. each. The masonry is first class, ties and guard timbers of standard dimensions and in thoroughly sound condition. The bridge is well painted, and inside guard rails are maintained. All the other steel and iron bridges are in good condition, have good masonry, standard ties and guard timbers in good repair, are well painted, and have inside guard rails. The only long span timber bridges in the roadway are two spans of pony Howe truss, each 80 ft. in length; this bridge is in good condition excepting that there are a few broken angle blocks, which were being replaced at the time the inspection was made. There is one overhead highway bridge, in good condition and sufficiently high above the track as not to require warning signals. There are fourteen timber trestles on pile or framed bents, of standard construction and generally in fair repair; a few were noted, and attention directed to them, where some renewal of ties and stringers will need to be made before very long: notably, Nos. 94A, and 100A; No. 106A needs additional stringers on account of long spans. No. 73A was recently destroyed by fire and has been replaced by seven spans of temporary timber trestle, and at this place masonry abutments are to be constructed and an iron bridge put in. There are 22 open culverts and cattle passes, nearly all constructed entirely of wood; a few have abutments of masonry; the timber stringers, ties and guard timbers are of standard dimensions, and repairs or renewals are being made where necessary. Most of the small openings through embankments for the passage of water, and many of the covered cattle passes, are constructed of cedar timber, and are generally in good condition. There are a few stone box culverts, apparently in good condition.

The standard cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of 2,816 to the mile of track; they are mainly of cedar and hemlock timber;

many are under standard size, and a great number of decayed ones were observed, especially in the vicinity of Moira, both north and south; and between Saint Regis Falls and Brandon station, where in places approximately 50 per cent. should be renewed this season; and the average of tie renewals that should be made this season over the entire line is about 25 per cent. The cross-ties are fairly well spaced and full spiked. Eighteen miles of main track are laid with 80-lb., 16.75 miles with 65-lb., and the remainder, 33.05 miles, with 56-lb. steel rail. The 80-lb. rails are connected by angle plates 30 in. in length with six bolts, the 65-lb. by angle plates 40 in. in length with six bolts, and the 56-lb. by angle plates 20 and 24 in. in length and fish plates 24 in. in length with four bolts. The 80-lb. rails are new; the 65-lb. in good condition; the 56-lb. considerably worn. All the connections are full bolted, and very few loose bolts were observed. All main track switches are split point. Both rigid and automatic stands are in use and have proper targets. Switch and semaphore lamps show red light for danger and white for safety. The frogs are rigid and in fair condition. Derailing switches are in all sidings where their use appears necessary, and have proper targets. The track is ballasted with sand, generally in light quantity. The alignment and surfacing of the track are very fair, considering the condition of the ties and the light rail that is used on portions of the road, and the outer rail on curves about correctly elevated for the moderate speed at which the trains are scheduled. The track sections are about 7 miles in length, and the average force employed upon each consists of a foreman and five laborers. Each gang is provided with flags, lanterns, and torpedoes, and all portions of the road are patrolled daily.

One track of the Rutland railroad is crossed at grade at Moira; the crossing is protected by a ball signal, and all trains are required to come to a full stop. One track of the United States and Canada railroad, at Helena; the crossing is protected by an interlocking plant with home and distant signals and derails on both roads. One track of the Mohawk and Malone railway, at Tupper Lake Junction; the crossing is protected by semaphore signals, and all trains are required to come to a full stop. The only interlocking plant maintained is at the crossing of the United States and Canada railroad at Helena; it is a proper one, in good condition.

The right of way, excepting through the forest, is free from trees and brush. In the forest, through which the road runs for nearly half its length, the trees have been cut, but some small brush remains, and other brush that has been cut and piled, as well as some old logs, yet remain. Through the forest, fences are not maintained; on the remaining portion of the road the fences, which are of wire, are in fair condition.

The highway crossings are very well graded, properly planked, and protected by signs of the finger board and X form, suitably located and in good condition. On the portion of the road that is fenced, wooden slat cattle guards with suitable guard fences are maintained at each highway grade crossing.

The movements of trains are governed by the telegraphic train order system, semaphore signals being located at telegraph stations to hold trains for orders when necessary. Mile and whistle posts are properly maintained.

The station buildings, while generally small, are apparently sufficient for the requirements, are in fair to good repair, and have been much improved and most of them repainted since the last inspection; they are clean and neat; water for drinking is provided, and time-tables are posted in the waiting rooms. The station platforms are of plank or gravel. The station employees are uniformed.

The lighter locomotives and general freight and passenger equipment of the New York Central and Hudson River railroad are used on this line, and all observed were in very fair condition.

Since the last inspection, about 15 per cent. of the cross-ties have been renewed; 18 miles of new 80-lb. rail laid, replacing 15 miles of 56-lb., and 3 miles of 65-lb. rail; and one mile of 65-lb. rail has been relaid, replacing worn 56-lb. rail; trestle No. 112A, consisting of 13 spans, has been filled;

No. 77B, of five spans, entirely rebuilt; and No. 110A, consisting of 45 spans, has had entire new floor and inside guard rail laid upon it; considerable repairs have been made to other trestle structures; one open culvert has been replaced with concrete masonry and I-beams, and another is now being so replaced; two have been covered with timber and track ballasted over them; new ties and guard timbers have been put on several such openings and necessary light repairs made to others; and three miles of new woven wire fence have been constructed.

Recommendations: That necessary repairs and renewals as indicated in the body of this report be made to trestles, open culverts and cattle passes; that tie renewals be promptly made, and approximately 25 per cent. of all now in track be replaced this season; that the lighter worn rail be replaced; that additional ballasting be done; that narrow cuts be widened, weak embankments reinforced, and sagged ones raised to grade; and that all brush and rubbish remaining on the right of way be removed.

A copy of this report was transmitted to the vice-president of the company, who replied that the recommendations would be effected as early as possible; and later, has reported progress.

RUTLAND RAILROAD.]

I have made an inspection of the various lines of the Rutland railroad in this State (August 12, 13, 14, 1907), and respectfully submit the following report:

Chatham Division.

The Chatham division, a single track road, connects with the Boston and Albany railroad at Chatham, and extends to Bennington, Vermont, a distance of 57.30 miles, of which 51.56 miles are in this State; also approximately 6 miles of sidings and yard tracks.

With the exception of a few through rock, which are rather narrow to admit of thorough ditching, the cuts are of full width and proper slopes. The embankments are generally strong and the drainage system good.

The steel and iron bridges are in very good condition and fairly well painted; masonry generally good; the bridge over the Hoosick river near Petersburgh Junction has one pier that shows evidence of failing and is to be rebuilt. One bridge, consisting of two spans of Phœnix deck truss, at Chatham, is rather light, but sufficient for the class of motive power and rolling stock now used on that division. The ties and guard timbers are of standard dimensions and in very fair condition. Inside guard rails are not maintained. There are no wooden bridges excepting those used for overhead highway or farm crossings; they are in proper condition and all low ones are protected by warning signals, properly maintained. There yet remain in the roadway several timber trestles, and in some cases timber trestles are used for crossing small streams. The bents are of framed timber, or piles, of standard construction; pine timber is used in nearly all cases. The stringers, ties, and guard timbers are of proper dimensions, and while generally in good repair, some poor stringers were noted on bridge No. 21, and an occasional one elsewhere, that need renewal; also poor ties and some poor guard timber on Nos. 3, 6, 20, 21, and 38. The attention of the officers of the company in charge of maintenance of way matters who accompanied your inspector was directed to those defects, as well as all others observed, and assurance given that all would receive prompt and proper attention. Most open culverts and cattle passes are constructed entirely of wood; a few have fair masonry. Most of the stringers are of pine; a few I-beams are used, and in some cases rail stringers, all of proper dimensions. The stringers to Nos. 14, 18, and 29 should be renewed; also ties and guard timbers on Nos. 14, 18, 29 and 48. The arch and box culverts and iron pipe drains are apparently in good condition.

The standard dimension cross-ties are 6 x 8 in., 8 ft. in length, and are laid at the rate of 2,992 to the mile of track; they are of mixed oak, yellow pine, and cedar timber, fairly well spaced and full spiked. A considerable number of decayed ones were observed, and approximately 10 per cent. of all now in track should be renewed this season. About four miles of main track are laid with 75-lb.; 6.47 miles with 72-lb.; and the remainder, about 40.99 miles, with 56 and 60-lb. steel rail. The 75-lb., the 72-lb., and most of the 56-lb. and 60-lb. rails are connected by angle plates 24 in. in length with four bolts; a portion of the latter are connected by angle plates 20 in. in length with four bolts. The 56 and 60-lb. rail is considerably worn, and is being replaced with second-use rail of the heavier patterns. All the connections are full bolted, and very few loose bolts were observed. All main track switches are split point and have automatic stands with targets well painted. Switch and semaphore lamps show red light for danger and white for safety. The frogs are rigid and in fair condition. Derailing switches are in all sidings connecting with the main track upon which cars are left standing, where the grade descends toward the main track, and the stands have targets. The track is ballasted with gravel, generally in fair quantity. The alignment and surfacing of track are only fair, but have been considerably improved and are apparently very good for the light traffic and moderate speed at which trains are scheduled. The outer rail on curves is about correctly elevated. The track sections are about 5½ miles in length, and the average force maintained on each consists of a foreman and four laborers. Each gang is furnished with flags, lanterns, and torpedoes, and all sections of the road are patrolled daily.

The general alignment is very fair and most curves light; the maximum is 9 degrees, located at Chatham; aside from that, there are no other curves exceeding 5 degrees and 40 minutes. The grades are generally light and regular; there is one grade in the vicinity of Old Chatham, about 1½ miles in length, of 69 feet per mile.

Two tracks of the Boston and Maine main line are crossed at grade at Petersburgh Junction; the crossing is protected by an interlocking plant with home and distant signals and derails; the distant signals on the Rutland railroad are not connected up, and all trains of that road come to a full stop before crossing. The only interlocking plant maintained is at the crossing of the Rutland railroad at Petersburgh Junction.

The right of way is free from trees; grass, weeds, and brush were being cut when the inspection was made. The fences are generally of wire, some lacking and much other out of repair. The fences on this line have been much improved since the last inspection, much new fence built, and a gang of men is now engaged building new ones of woven wire.

The grade crossings of highways are generally well graded, planking in proper condition, and are protected by signs of the diamond form, properly located and in fair condition. The cattle guards are of the wooden slat pattern, and in some cases are lacking. A few places were observed where brush outside the company's right of way, and generally within the lines of the highway, to some extent obscures the view of approaching trains, and your inspector requested that all such brush be removed. One highway grade crossing is protected by a flagman, and 57 by crossing signs only.

The movements of trains are governed by the telegraphic train order system, and all trains are spaced ten minutes apart at telegraph stations. There are no mile posts. The whistle posts are properly located.

The station buildings are generally small: some of them are old, but in fair repair. Considerable improvement has been made to station buildings since the last inspection, and many of them repainted. They are all well kept; water for drinking is provided, and time-tables are posted in the waiting rooms. The platforms are of plank and gravel. Station employees wear uniform.

The lighter locomotives and standard rolling stock of the Rutland railroad are used on this division. The locomotives and all passenger cars are equipped with automatic couplers and air brakes; cars heated by steam and

lighted with gas or oil lamps; water for drinking is provided, and emergency tools are properly located in the cars. All the freight equipment observed was in fair condition; all have automatic couplers, and about 75 per cent. have air brakes.

The principal repairs and improvements noted as made since the last inspection are as follows: About 15 per cent. of the cross-ties have been renewed; 6.47 miles of second-use 72-lb. rail, and 4 miles of 75-lb. laid, replacing worn 56-lb. rail; about 22 miles of track have been re-ballasted with gravel; bridges Nos. 3 and 4 have received general repairs; Nos. 7, 8, 12, and 17 light repairs; Nos. 21, 23, 24, 25, 26. and 27 have had new stringers, ties, and guard timbers put on; Nos. 28, 30, 32, 33, 35, 36, 39, 40, and 45 additional stringers added; No. 47 has had bents renewed; No. 52 been entirely rebuilt; light repairs have been made to other bridges, trestles, etc., and most iron bridges repainted; new station buildings have been erected at Stephentown and New Lebanon, and necessary repairs made to station and other buildings.

Recommendations: That inside guard rails be maintained on bridges and trestles; that necessary repairs and renewals be made to bridges, trestles, open culverts, and cattle passes as indicated in the body of this report; that about 10 per cent. of cross-ties be renewed, and that the light worn rail be replaced as rapidly as necessary; that the distant signals at the grade crossing of the Rutland railroad at Petersburgh Junction be connected up and put in operation; that the fences be put in proper condition; that cattle guards be maintained at each boundary of all highways crossed at grade; that brush in the vicinity of highway crossings that to some extent obscures the view of approaching trains be cut and removed.

Ogdensburg Division.

The Ogdensburg division, a single track road, extends from Rouses Point to Ogdensburg, a distance of 118.70 miles, and has about 30.45 miles of sidings and yard tracks.

The cuts and embankments are generally of good width and proper slopes; a few cuts have slopes upheld by retaining walls. The ditches are in good condition.

The iron bridges are in good condition and calculated for carrying with proper factor of safety the heaviest motive power and rolling stock used on the system. The masonry is generally good; one abutment to bridge No. 349, however, needs to be rebuilt. One bridge, No. 376, has abutments composed of timber, in good condition; the ties and guard timbers are of standard dimensions and generally in good condition; Nos. 321 and 376, however, need ties and guard timbers renewed. Inside guard rails are not generally maintained. The bridges are fairly well painted. There yet remains in the roadway one timber Howe truss bridge, which, in addition to abutments, is supported on bents, not because the timber is bad, the bridge being only a few years old, but to insure safety for the heavy motive power recently put in use. The only other wooden bridges are for overhead highway or farm crossings, and are apparently in good condition, and all low ones protected by warning signals. The only timber trestle remaining is at Rouses Point; where the road crosses the outlet to Lake Champlain: the portion of that trestle in this State is 2,100 ft. in length. This trestle is now being very thoroughly repaired. Nearly all open culverts and cattle passes have masonry abuments; all the longer spans have I-beam stringers, and shorter ones stringers of timber or rails; all have standard ties and guard timbers, generally in fair repair, although a few were noted, and attention directed to them, where some ties and guard timbers were poor, requiring renewal. The masonry to open culverts and cattle passes Nos. 308, 313, 317, 320, 322, 326, 332, 333, 346, 359, and 379 is failing, and should be rebuilt in the near future. The arch culverts and iron pipe drains are generally in good condition, as are most of the box culverts; some stone box culverts, however, need repairs or renewal.

The standard cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of 2,992 to the mile of track; the timber is mixed cedar, Princess pine, yellow

pine, chestnut, and oak; they are fairly well spaced and full spiked. Many decayed ones, however, were observed, and about 15 per cent. of all now in track should be renewed. Of main track, 96.26 miles are laid with 80-lb., 9.93 miles with 75-lb., and 12.52 miles with 72-lb. steel rail. The 80-lb. rails are connected by angle plates 30, 36, and 40 in. in length with six bolts; the 75-lb. rails by angle plates 24 in. in length with four bolts, and 32 in. in length with six bolts; and the 72-lb. rails by angle plates 24 in. in length with four bolts. The rail is generally in fair condition, although some of the lighter rail is somewhat worn, and renewals are being made. All connections are full bolted, and very few loose bolts were observed. Some cracked angle plates were noted, which are being replaced. All main track switches are split point; both rigid and automatic stands are used; the targets are in proper condition. Switch and semaphore lamps show red light for danger and white for safety. Most main track frogs are spring rail, properly maintained. Derailing switches are in all sidings connecting with main track on which cars are left standing, where the grade descends toward the main track; some with stands, however, were observed which lacked targets. The track is ballasted with gravel, cinders, sand, and a little broken stone, most of the sand ballast being between Norwood and Ogdensburg. On portions of the road the ballast is light. The alignment and surfacing of track are very good, and the outer rail on curves properly elevated. The track sections are about 5 miles in length, and the average force maintained on each consists of a foreman and four laborers. Each gang is furnished with flags, lanterns, and torpedoes, and all portions of the track are patrolled daily.

The general alignment is good and all curves light; the maximum is 2 deg. and 30 min., at Malone. The grades are also generally light and fairly regular; the maximum grade westbound is 44 ft. per mile; eastbound, 30 ft. per mile.

One track of The Delaware and Hudson Company's road is crossed at grade at Rouses Point; the crossing is protected by a ball signal, and all trains are required to come to a full stop. One track of The Delaware and Hudson Company's road at Mooers Junction; the crossing is protected by a ball signal, and all trains are required to come to a full stop. One track of the Mohawk and Malone railway at Malone Junction; the crossing is protected by a ball signal, and all trains are required to come to full stop. One track of the New York and Ottawa railway at Moira; the crossing is protected by a ball signal, and all trains are required to come to a full stop. One track of the Rome, Watertown and Ogdensburg division of the N. Y. C. & H. R. R. R., at Norwood; the crossing is protected by a tilting board signal, and all trains are required to come to a full stop.

The right of way is free from trees, brush and rubbish, and grass and weeds were cut. The fences are of wire, board, and rail, and while generally in good repair, places were observed where repairs are necessary.

The highway crossings are well graded, properly planked, and protected by signs of the diamond or finger-board design, properly located and in good condition. Cattle guards of the wooden slat pattern with proper guard fences are maintained at each boundary of the highways crossed at grade. Three highway grade crossings are protected by flagmen, one by an electric bell, and the remainder, 113, by crossing signs only.

The movements of trains are governed by the telegraphic train order system, and all trains are spaced ten minutes apart at telegraph stations. Mile posts are maintained, and the whistle posts are properly located.

The station buildings are generally in good condition, clean and neat and properly furnished. All station employees wear uniform.

The standard freight and passenger equipment of the Rutland railroad is used on this line; see report on Chatham division.

The principal repairs and improvements noted as made since the last inspection are as follows: About 15 per cent. of the cross-ties have been renewed; 6.47 miles of second-use 80-lb. rail laid, replacing worn 72-lb. rail; and additional rail now being put in; about two miles of track have been re-ballasted with cinders, one mile with gravel, and one-half mile with

broken stone; bridge No. 302 has received general repairs; Nos. 303, 307, and 310, new stringers, ties and guard timbers; No. 315, masonry rebuilt; Nos. 320, 322, 324, 325, 326, 329, 330, 340, 344, 345, 378, 379, and 380, new ties and guard timber; Nos. 347, 348, 351, 354, 355, and 357, masonry repaired; repairs have also been made to a number of arch and stone box culverts; at Ogdensburg, warehouse has been remodeled and extended, ice house extended, marine storehouse built, warehouse overhauled, and new water tank and fire lines put in; at Lisbon, the station has been repainted; new stock pens built at Madrid; engine house at Norwood extended; North Lawrence station reshingled and repainted; Brushton station remodeled; at Malone, quite extensive new car shops and transfer table have been built, new scale put in, and new turntable, and the station repainted; Chateaugay station has been repainted; Cherubusco station overhauled and remodeled; Flint Mills and Irons stations repainted; Altona station extended and remodeled; Mooers Junction station remodeled and repainted; and sanitary water closets put in at Champlain.

Recommendations: That the abutment to bridge No. 349 be rebuilt; new ties and guard timbers be put on bridges Nos. 321 and 376, and necessary repairs made to ties and guard timbers of other bridges, open culverts, and cattle passes; that the masonry to open culverts and cattle passes Nos. 308, 313, 317, 320, 322, 326, 332, 333, 346, 359, and 379 be rebuilt in the near future; that necessary repairs be made to box culverts; that 15 per cent. of the cross-ties be renewed; that the renewal of the lighter worn rail be continued; that the stands to derailing switches be equipped with targets; that additional ballasting be done, and that necessary repairs be made to fences.

Addison Branch.

The Addison branch, a single track line, connects with the main line of the Rutland railroad at Leicester Junction, Vermont, and extends to Addison Junction on the line of The Delaware and Hudson Company's railroad, a distance of 15.60 miles, of which only 0.82 miles are in this State; and has about 0.40 miles of sidings and yard tracks. This is an unimportant line of railroad, used almost entirely for freight purposes, it being operated over only about twice in each direction daily, and traffic is very light.

It is fairly well graded and the drainage good. The only structure open to grade in this State is a short piece of trestle 300 ft. in length, extending into Lake Champlain, which is crossed by the road; this structure is of framed bents on pile foundation. There were originally cribs, which settled, and a single pile was driven at either end of the crib with alternate bents between the cribs; the bents over the crib were trussed between the two piles above referred to, and the bottom of this truss being under water, it was very difficult to ascertain whether the bolts had nuts on or not; in addition, the entire structure is getting old and considerably out of alignment and surface. Men are now engaged driving full bents of piles and making extensive repairs; meanwhile, trains are operated very carefully over the structure. The trestle was originally very much longer, but a large portion of it has been filled with stone, and it is planned to fill more of it in the near future. There is in this trestle at the channel, which is probably the dividing line between the States of New York and Vermont, a float drawbridge about 300 ft. in length; this drawbridge, of course, raises and falls as the lake gets higher or lower; therefore the approach from the trestle to the draw is sometimes upgrade and sometimes down, according to the stage of the water. At either end of the draw is a trussed span about 35 ft. in length, which is raised or lowered as necessity requires, to connect with the trestle spans at the ends. At the present time, all trains approaching the draw come to a full stop approximately 400 ft. from the draw, and do not proceed until signal to do so is given by the draw tenders. Arrangements are made for putting up semaphore signals at a point 400 ft. from the draw in either direction, these signals to be interlocked with the draw, and even when the draw is closed they are to be kept in the danger position until the train has come to a full

stop. The only other opening for the passage of water is a small stone box culvert, in proper condition.

The cross-ties are principally cedar, and are laid at the rate of about 2,640 to the mile of track; they are of standard dimensions, properly spaced and full spiked; about 10 per cent. of them should be renewed. The track is laid with 56-lb. steel rail, connected by angle plates 24 in. in length and fish plates 19 in. in length with four bolts. The rail, while considerably worn, is fair for the light traffic and slow speed maintained. Stub switches are used, with rigid stands. The frogs are rigid and in fair condition. The road is ballasted with gravel in light quantity. The alignment and surfacing of track are considerably irregular.

The right of way is free from trees, weeds, and brush. Fences are of wire, in fair condition. There are no highway crossings, or stations owned by the company, in this State. The very lightest equipment of the Rutland railroad is used on this line, and all observed was in fair condition.

Recommendations: That the repairs to the trestle be continued until it is in thoroughly safe condition; that the signals protecting the drawbridge be installed as soon as possible, the rules governing their operation rigidly enforced, and that the movements of trains over the draw do not exceed six miles per hour; that the stub switches be replaced with split point switches.

A copy of this report was transmitted to the general manager of the company, who replied that the recommendations had been adopted by the company and would be complied with as rapidly as circumstances would permit; and later, that all work had been completed except two bridges and the trestle, and repairs were in progress on these.

CHAMPLAIN AND ST. LAWRENCE RAILROAD.

I have made an inspection of the Champlain and St. Lawrence Railroad (July 25, 1907), and respectfully submit the following report:

The Champlain and St. Lawrence railroad, a single track line, extends from a connection with The Delaware and Hudson Company's railroad at Rouses Point to the Canadian boundary line, a distance of 1.21 miles, where it connects with a branch of the Grand Trunk railway extending to Montreal. The road has about 2 miles of sidings and yard tracks.

The road is constructed entirely on embankment, which is of full width and proper slopes. The only openings to grade are two small waterways of 6-ft. span, and one open cattle guard of 4-ft. span. One of the open culverts has good stone masonry; the other open culvert and the cattle guard have timber abutments, all in good condition; the stringers are of timber of suitable dimensions; the ties and guard timbers are standard and all in good condition.

The standard cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of about 2,992 to the mile of track; the timber is practically all cedar; they are in good condition, fairly well spaced and full spiked. The track is laid with 79-lb. steel rail, connected by angle plates 24 in. in length with four bolts. The rail is in good condition, all connections full bolted and bolts tight. All switches are split point and have automatic stands with proper targets. The frogs are spring rail and in good condition. Timber blocks secured to the tops of the rails are used on sidings where cars are left standing, to prevent their running upon or fouling the main track. The track is ballasted with gravel in good quantity. The alignment and surfacing of track are good. There is but one curve and that a light one, in the Rouses Point yard.

The right of way is entirely free from trees, brush, and rubbish, and well fenced with wire. There are no highway crossings.

The movements of trains are governed by the telegraphic train order system. Mile and whistle posts are maintained.

There are no passenger stations, the station of The Delaware and Hudson Company being used at Rouses Point.

The standard equipment of the Grand Trunk railway is used, and trains of The Delaware and Hudson Company also operate over this track. All observed was in proper condition.

The road is in first-class condition throughout, and no recommendations appear necessary.

UNITED STATES AND CANADA RAILROAD.

I have made an inspection of the United States and Canada Railroad (August 15, 1907), and respectfully submit the following report:

The United States and Canada railroad connects with the Rome, Watertown and Ogdensburg division of the New York Central and Hudson River railroad at Massena Springs, and extends to the Canada line near Fort Covington, at which point a branch of the Grand Trunk railway connects with it and extends to Montreal. The length of the United States and Canada road is 22.18 miles, and it has approximately 1.25 miles of sidings and yard tracks.

The general alignment is first class, and there are none but light curves, apparently not exceeding 3 degrees. The grades are also very light and practically level for most of the distance. The country through which this road runs is fairly level, and the cuts and embankments light. The roadway is well graded and properly drained.

There are six iron bridges, all in good condition except that they should be repainted. Three of them have masonry abutments, in good condition; and the other three, abutments of timber which are in sound condition. All have standard ties and guard timbers, and inside guard rails are maintained on all. There are no wooden bridges in the roadway, nor overhead. There are four pile trestles; the bents are of cedar piles, caps, stringers, ties, and guard timbers of yellow pine; all are of standard dimensions and in fair condition excepting that ties and guard timbers are getting old. It is planned to fill all those structures this season; in case that is not done, the ties and guard timbers should be generally renewed. The open culverts and cattle passes, of which there are a large number, are entirely of timber and in good condition, excepting that No. 53, the third opening south of Fort Covington, should have the abutments renewed; and the ties and guard timbers on Nos. 7, 9, 10, 14, 17, 18, 21, 22, and 36 (numbered from Massena) should be renewed. There are several other open culverts and cattle passes with planks spiked on the tops of the ties used for guards, and a few where guard timbers are lacking; all those should have standard guard timbers put on. There are no arch culverts or pipe drains. The box culverts are of cedar timber; they were renewed a few years ago and are in proper condition.

The standard dimension cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of 2,816 to the mile of track; they are in good condition, well spaced and full spiked. The track is laid entirely with 65-lb. steel rail, connected by angle plates 24 in. in length with four bolts. The rail, all of which has been put in since the last inspection, replacing worn 56-lb. rail, is in good condition; all the connections are full bolted and bolts tight. All main track switches are split point; both rigid and automatic stands are in use and have proper targets. Switch lamps show red light for danger and green for safety. The frogs are rigid and in proper condition. On all sidings connecting with the main track upon which cars are left standing, where the grade descends toward the main track, timber blocks are secured to the top of the rail to prevent cars running upon or fouling the main track. The track is ballasted with gravel and cinders in fair quantity. The alignment and surfacing of track are good, and the outer rail on curves properly elevated. The track sections are 6 miles in length, and the present force maintained on each consists of a foreman and two laborers. Each gang is furnished with flags, lanterns, and torpedoes, and all portions of the road are patrolled daily.

One track of the New York and Ottawa railway is crossed at grade at Helena; the crossing is protected by an interlocking plant with home and distant signals and derails on both roads. The only interlocking plant maintained is at the grade crossing of the New York and Ottawa railway at Helena; it is a proper one and is in good condition.

The right of way is clear and clean and is well fenced with wire.

The highway crossings are well graded, properly planked, and protected by signs of the long board form extending across the traveled road. Wooden slat cattle guards with proper guard fences are maintained at each boundary of all the highways crossed at grade.

The movements of trains are governed by the telegraphic train order system. Mile posts are maintained, and the whistle posts are properly located.

The station buildings are in good condition, clean and neat; water for drinking is provided, and time-tables are posted in the waiting rooms. The station platforms are of plank. The platform to the station at Helena needs repairs; the platforms to the other stations are in good condition. Station employees are uniformed.

The lighter motive power and regular train equipment of the Grand Trunk railway are used on this road; all observed were in good condition. The coaches are supplied with emergency tools, heated by steam, and lighted with oil lamps; all have automatic couplers and air brakes, are clean and neat, and water for drinking is provided. The passenger trainmen wear uniform.

Since the last inspection about 15 per cent. of the cross-ties have been renewed; the entire track has been relaid with second-use 65-lb. steel rail, replacing worn 56-lb. rail; light repairs have been made to bridge, trestle, open culvert, and cattle pass floors; and some repairs have been made to station buildings.

Recommendations: That the steel and iron bridges be repainted to prevent injury from rust; that the abutments to open culvert No. 53 (third south of Fort Covington) be rebuilt; and that new ties and guard timbers be put on Nos. 7, 9, 10, 14, 17, 18, 21, 22, and 36 (numbered from Massena); that standard guard timbers be put on the other openings where at present there are plank guards or lack of guards; and that necessary repairs be made to the station platform at Helena.

A copy of this report was transmitted to the general manager of the company, who replied that the work recommended would be completed in the early spring; and later, that all work was completed except the painting.

LEHIGH AND NEW ENGLAND RAILROAD.

I have inspected the portion of the Lehigh and New England Railroad in the State of New York (August 21, 1907), and submit the following report:

The Lehigh and New England Railroad Company operates in this State the Campbell Hall Connecting railway and the Pochuck railroad. The Campbell Hall Connecting railway connects with the Pine Island branch of the Erie railroad at Pine Island Junction, and extends to the Pennsylvania-State line, a distance of 3.78 miles, with 0.33 miles of sidings and yard tracks. The Pochuck railroad connects with the Campbell Hall Connecting railway at Glenwood, and extends to the Pennsylvania-State line, a distance of 2.70 miles, with 1.02 miles of sidings and yard tracks.

The general alignment of the Campbell Hall Connecting railway is good and there are none but light curves. The Pochuck railroad is very crooked and has sharp curves, the maximum being 16 degrees. The grades of the Campbell Hall Connecting are very light, and for most of its length level; those of the Pochuck railroad are steep almost continuously and somewhat broken; the maximum is 211 feet per mile.

The Campbell Hall Connecting railway (hereafter in this report called "main line") is very well graded and the drainage good; the Pochuck railroad has some narrow cuts, practically devoid of ditches. The embankments are generally of fair width.

There are no steel, iron, or wooden span bridges. In the main line there are several trestles, some used for crossing small streams; they are of framed bents on pile foundation, of standard construction, and generally in fair condition; Nos. 5 and 6 of the main line (numbering from Pine Island Junction) should have new ties and guard timbers. The ties and guard timbers are of standard dimensions, and aside from the ones mentioned are in fair condition. There are no trestle structures in the roadway of the Pochuck branch. The open culverts and cattle passes of the main line are constructed entirely of timber and are in very good repair; one of 8-ft. span on the Pochuck branch is also constructed entirely of timber, and the remainder have a poor class of masonry with timber stringers; Nos. 4, 5, and 6 of that branch have stringers and ties that are getting old, and no guard timber. The attention of the superintendent of the road, who accompanied your inspector, was directed to all defects, and assurance given that they would receive proper attention. There are no arch culverts. The stone box culverts and pipe drains are in good condition.

The standard cross-ties are 6 x 8 in., 8 ft. in length, and are laid at the rate of 2,640 to the mile of track; they are of mixed oak and chestnut timber; those in the main line are in fair condition; on the Pochuck branch at least 15 per cent. should be renewed this season. The main line is laid with 60-lb. steel rail, connected by angle plates 24 in. in length with four bolts. The rail is in fair condition, connections full bolted, and very few loose bolts were observed. The Pochuck branch is laid with mixed 56 and 60-lb. rail, connected by angle plates 24 in. in length and fish plates 22 in. in length with four bolts; the connections are full bolted, and very few loose bolts were observed. The main track switches are split point and nearly all have automatic stands; the targets are in fair condition. The frogs are rigid. Derailing switches are in sidings where their use appears necessary. The main line track is lightly ballasted with gravel; on the Pochuck branch there is very little ballast. The alignment and surfacing of the main line track are fair for the moderate speed at which the trains are scheduled; the Pochuck branch is in poor alignment and surface, but is used only as a switching track, no regular trains being run over it and no passengers carried. The track sections are about six miles in length, and the force employed on each consists of a foreman and four laborers; they are furnished with flags and lanterns for protecting their work, and all portions of the track are patrolled daily by some member of the section force.

The right of way is in fair condition; trees and brush are cut, and grass and weeds removed near the track. The main line runs for much of its length through a marsh. The fences are of wire, some lacking, and much in poor repair.

The highway crossings are fairly well graded, planking in good condition, and are protected by signs of the X and diamond form, properly located and fairly well painted. Cattle guards are not maintained.

The movements of trains are governed by the telegraphic train order system. Mile posts are not maintained. Whistle posts are apparently properly located. There are no station buildings owned by the company in this State. The small portion of the equipment observed is in fair condition, and has automatic couplers and air brakes.

Since the last inspection about 15 per cent. of the ties of the main line have been renewed, and about 10 per cent. of the Pochuck branch; nearly all the main line track has been lightly re-ballasted with gravel; new ties and guard timbers have been put on several trestle structures of the main line and repairs made to others; one open culvert of the Pochuck branch has been replaced with a covered culvert, and a spur track about one mile in length has been built connecting with Pochuck branch near its connection with the main line, extending to a stone quarry.

Recommendations: That the narrow cuts of the Pochuck branch be widened and ditches maintained; that new ties and guard timbers be put on trestles Nos. 5 and 6 of the main line; also new stringers, ties, and guard timbers on Nos. 4, 5, and 6 of the Pochuck branch; that about 15 per cent. of the cross-ties of the Pochuck branch be renewed; and that until the surface and alignment of that branch are materially improved the speed of trains be limited to ten miles per hour; that the fences be put in proper repair; and cattle guards with suitable guard fences be put in at each boundary of all the highways crossed at grade.

A copy of this report was transmitted to the general superintendent of the company, who replied that the recommendations would be complied with in all particulars.

LEHIGH AND HUDSON RIVER RAILWAY, AND ORANGE COUNTY RAILROAD.

I have inspected the portion of the Lehigh and Hudson River Railway and Orange County Railroad in the State of New York (August 22, 1907), and submit the following report:

The Lehigh and Hudson River railway in this State extends from the Pennsylvania-State line near New Milford to Greycourt, a distance of 14.50 miles, and has about 5.90 miles of sidings and yard tracks. The Orange County railroad (operated by the Lehigh and Hudson River Railway Company) extends from a connection with the Lehigh and Hudson River railway at Hudson Junction, near Greycourt, to a connection with the Central New England railway at Maybrook, a distance of 10.70 miles, and has 4.98 miles of sidings and yard tracks. Both are single track roads, and in this report are treated as one line.

The general alignment is very good and curves generally light; the maximum of the Lehigh and Hudson River is 5 degrees, and of the Orange County, 6 degrees. The grades are also generally light, the maximum being 52.8 feet per mile. The roadway is very well graded and drainage system good.

The steel and iron bridges are in good condition and newly painted. One viaduct structure over the Erie railroad tracks at Greycourt is being replaced with two spans of plate girder bridge on new masonry, and the remainder of the opening filled. There is one bridge of about 150-ft. span near Burnside that is of light construction, but in good condition and of sufficient strength for the class of motive power and rolling stock now being used on the road. The masonry to the bridges is in good condition, ties and guard timbers are of standard dimensions and in good repair, and inside guard rails are maintained. The only wooden span bridges are for overhead highway and farm crossings, and most of such crossings have iron bridges. All are in good condition, and any less than 21 ft. above the track are protected by warning signals. The only timber trestles remaining are a temporary one on the Lehigh and Hudson, where a new bridge is to go in, and one of 7 spans on the Orange County railroad; they are of standard construction and in proper condition throughout. Most open culverts and cattle passes have masonry abutments; a few are constructed entirely of timber; some I-beam stringers are used, in a few cases, rails; and the remainder are of timber; the ties and guard timbers are of standard dimensions. Nos. 25 and 29 have poor masonry, and should be rebuilt; No. 7 has poor ties; and Nos. 29, 53, 61 and 64 lack guard timbers. There are no arch culverts. The stone box culverts and iron pipe drains are in good condition.

The standard cross-ties are 7 x 9 in., 8½ ft. in length, and are laid at the rate of 2,816 to the mile of track; about 50 per cent. are yellow pine and the remainder oak and chestnut, in about equal proportions; they are evenly spaced, full spiked, and necessary renewals have been or are being made. About 6.05 miles of main line track are laid with 80-lb., 8.45 miles with 65-lb., and 10.70 miles with 60-lb. steel rail. The 80-lb. rail is connected by angle plates 30 in. in length with six bolts, and the other weights of rail by angle

plates 24 in. in length with four bolts. The 80-lb. rail is new and in first-class condition; the 65-lb. rail is in fair condition; the 60-lb. rail is somewhat worn, and arrangements are made to replace it with new 80-lb rail. All the connections are full bolted, and no loose bolts were observed. All main track switches are split point, and have automatic stands with targets well painted. Switch and semaphore lamps show red light for danger and white for safety. The frogs are rigid and in good condition. Derailing switches are in all sidings where their use appears necessary, and have proper targets. The tracks are ballasted with gravel and cinders in fair quantity. The alignment and surfacing of track are good, and the outer rail on curves properly elevated for the speed at which the trains are scheduled. The track sections are about five miles in length, and the force maintained on each consists of a foreman and five laborers. Each gang is furnished with flags, lanterns, and torpedoes for protecting its work, and all portions of the track are patrolled daily by some member of the section force.

Two tracks of the New York, Ontario and Western railway are crossed at grade at Burnside; the crossing is protected by a modern and complete interlocking plant. The only interlocking plant maintained is at the crossing of the New York, Ontario and Western railway at Burnside.

The right of way is free from trees, brush, and rubbish, and is well fenced with wire. The highway crossings are properly graded, planking in good condition, and are protected by signs of the diamond form, properly located and well painted. Metallic slat cattle guards with proper guard fences are in place at each boundary of all highways crossed at grade. One highway crossing is protected by a flagman and gates, and the remainder by crossing signs only.

The movements of trains are governed by the telegraphic train order system, and trains are spaced five minutes apart at all stations.

The station buildings are generally in good condition; on the Orange County railroad there are several stations where no agents are maintained and the buildings are closed. Water for drinking is provided, and time-tables are posted in the waiting rooms. The platforms are of plank and gravel and properly maintained. The station employees wear uniform.

All locomotives and cars observed were in good condition; all the passenger cars have automatic couplers and air brakes, are heated by steam, and lighted with oil lamps; emergency tools are properly located in the cars, and water for drinking is provided; the trainmen are uniformed. The freight equipment appears to be in good condition; all have automatic couplers and nearly all air brakes.

The principal repairs and improvements noted as made since the last inspection are as follows; About 15 per cent. of cross-ties have been renewed; 2.25 miles of new 80-lb. rail have been laid, replacing worn, lighter rail; about 2.25 miles of sidings and yard tracks put in; new shops, with extensive yard, are being built at Warwick; three open culverts have been replaced with iron pipe and filling, five have been covered and the track ballasted over them; several have had new stringers, ties and guard timbers entire, and repairs made to many others; new station buildings have been erected at Stone Bridge, Lake station, and Sugar Loaf; quite extensive repairs have been made to other station buildings, and many of them repainted.

Recommendations: That bridge No. 2, on the Orange County railroad near Burnside, be replaced with a stronger structure, provided heavier equipment is to be operated over it; that the masonry to openings Nos. 25 and 29 be rebuilt, ties on No. 7 renewed, and guard timbers put on openings Nos. 29, 53, 61, and 64.

A copy of this report was submitted to the superintendent of the company, who reported that all the recommendations would be promptly put into effect; and later, that all work had been completed except bridge No. 25, which company desired to continue in use until necessary to rebuild.

NEW YORK CENTRAL AND HUDSON RIVER RAILROAD, PENNSYLVANIA DIVISION.

I have inspected the portion of the Pennsylvania division of the New York Central and Hudson River railroad in the State of New York (August 20, 1907), and submit the following report:

The portion of the Pennslyvania division of the New York Central and Hudson River railroad in this State consists of a main line from a connection with the main line of the New York Central and Hudson River railroad at Lyons to the Pennsylvania-State line at Lawrenceville, a distance of 86.06 miles, with 69.66 miles of second main track, and 77.77 miles of sidings and yard tracks; and the Penn Yan branch, a single track line, extending from Dresden, on the main line, to Penn Yan, a distance of 6.55 miles, with 4.05 miles of sidings and yard tracks.

The general alignment of the main line is good, having been decidedly improved in places as the double track was being constructed, in some cases the old alignment being abandoned and new tracks built, thereby reducing both curvature and grades. There still remains one curve of 10 degrees in the yard at Corning; and south of Corning, following the Tioga river, the curves are more frequent, but none of them sharp. The Penn Yan branch is very crooked, curves frequent and sharp, the maximum being 19 degrees, near Keuka Mills. The grades of the main line, while many of them are long, are regular and not generally steep, the maximum being 69 ft. per mile for about one-third of a mile near Himrod's Junction. The grades of the Penn Yan branch are steep, long, and somewhat broken; the maximum is 124 ft. per mile, for about 1800 ft. near Dresden.

The roadway is well graded and the drainage good. The grading for the completion of the second main track of the main line the remaining portion of the distance, about 16½ miles, is very nearly completed and track now being laid.

The steel and iron bridges of the main line are in first-class condition and well painted; all have stone or concrete masonry. In the Penn Yan branch track there is but one iron bridge; it is a deck plate girder in a short piece of trestle at Penn Yan, and is supported on bents; it is in proper condition. The ties and guard timbers of all bridges are of standard dimensions and in good repair, and inside guard rails are maintained on all excepting the short spans. There are no timber bridges remaining except those for overhead highway and farm crossings; they are in good repair and all, as well as other overhead obstructions less than 21 ft. above the track, are protected by warning signals. The only timber trestle remaining in the main track is one of 13 spans at Penn Yan: it is of standard construction and in good condition throughout. All the open culverts and cattle passes that formerly existed in the main line track have been covered with metal and concrete and the track ballasted over them, and all but two in the Penn Yan branch have been treated in similar manner. The two yet remaining in the Penn Yan branch have good masonry, I-beam stringers and standard floors, properly maintained. The arch and box culverts and iron pipe drains are apparently all in good condition.

The standard dimensions of cross-ties are 7 x 9 in., 8 ft. in length, and they are laid at the rate of 2,816 to the mile of track; in the main line track they are about 80 per cent. yellow pine and the remainder mixed oak and chestnut; in the Penn Yan branch about 75 per cent. are yellow pine and 25 per cent. mixed oak and chestnut, with a very few cedar; they are in good, sound condition, evenly spaced and full spiked, and tie-plates have already been put on curves above 3 degrees, and are being put on even lighter curves. The main track of the main line has 132.56 miles laid with 80-lb., 4.15 miles with 76-lb., 28.21 miles with 75-lb., 0.04 miles with 65-lb., and 0.73 miles with 60-lb. steel rail. The 80-lb., and also the 65-lb. rails, are connected by angle plates 36 in. in length with six bolts; the 76 and the 65-lb. rails by angle plates 40 in. in length with six bolts; and the 60-lb. rails by angle plates 24 in. in length with four bolts. The rail, with the exception of the short piece of 60-lb. rail, which is being removed, is in good condition; all the connections are full bolted, and the bolts tight. The Penn Yan

branch has 0.89 miles laid with 80-lb., 4.96 miles with 75-lb., and 0.70 miles with 60-lb., steel rail. The 80-lb. rails are connected by angle plates 36 in. in length with six bolts, the 75-lb. by angle plates 45 in. in length with six bolts, and the 60-lb. by angle plates 24 in. in length with four bolts. The small piece of 60-lb rail is considerably worn, and it is planned to replace it; the remaining rail is in very good condition, all connections full bolted, and no loose bolts were observed. All main track switches are split point. Most switch stands are rigid, and all have proper targets. All facing switches on the double track of the main line are protected by distant signals. Switch and semaphore lamps show red light for danger and white for safety. The main track frogs of the main line and most of those of the Penn Yan branch are spring rail; some rigid frogs yet remain in the Penn Yan branch; all are in proper condition. Derailing switches are in all tracks connecting with the main track upon which cars are left standing, where the grade descends toward the main track. The main line tracks are ballasted with gravel and cinders, generally in good quantity, and additional ballast is now being put in where considered necessary. The Penn Yan branch is ballasted with stone screenings in fair quantity. The alignment and surfacing of track are generally first class; at a few places where the new second track is as yet not entirely completed, there are some rough spots, and trains are operated cautiously over these places. The main line track sections are about 3¼ miles in length, and those of the Penn Yan branch 4.6 miles in length. The force employed in the maintenance of each section consists of a foreman and six laborers in summer and a foreman and four laborers in winter. Each gang is furnished with flags, lanterns, and torpedoes for protecting its work, and all portions of the road are patrolled daily by some member of the section force.

The main line tracks cross at grade at Geneva one track of the Auburn branch of the New York Central and Hudson River railroad, trains entering upon and running for a distance of about 300 ft. on the same track; this crossing is protected by semaphore signals interlocked and operated by a switchman, and all trains are required to come to a full stop before crossing. Two tracks of the Erie railroad are crossed at grade by the main line at Corning; the crossing is protected by a modern and complete interlocking plant, with derailing switches in all tracks approaching the crossing. One track of the Geneva, Waterloo, Seneca Falls and Cayuga Lake Traction Company's electric railroad crosses at grade about one mile north of Geneva; there are no derailing switches in the track of the electric railroad, nor protection over the trolley wire; the conductors of the electric railroad are required to pilot their cars across the track of the steam railroad. An interlocking plant is maintained north of Corning, governing the movements of trains on the gauntleted track across the Chemung river, and also a junction with the Corning station tracks located south of the bridge. A modern and complete interlocking plant is also maintained at the grade crossing of the Erie railroad in Corning.

The right of way on the main line is entirely free from trees, brush, and weeds; on the Penn Yan branch there is some small brush remaining. The fences are generally of wire on the main line; they are in good condition north of Corning; south of Corning some repairs are needed; and on the Penn Yan branch some poor fence was observed, and in places, fence is lacking.

The highway crossings are well graded, planking properly maintained, and they are protected by signs of the diamond form suitably located and well painted. The cattle guards are of the metallic slat pattern, and where the new work is in progress, and also at a few other places observed, there are no guards. Six highway grade crossings of the main line are protected by flagmen, one by flagman and gates, and two by electric bells; the remaining crossings of the main line and also of the Penn Yan branch are protected by crossing signs only.

The movements of trains are governed by the telegraphic train order system; positive block is maintained for passenger trains, and permissive for freight excepting on heavy down grades. Mile and whistle posts are maintained.

The station buildings are in good repair, and the sanitary condition good; water for drinking is provided, and time-tables are posted in the waiting rooms. The station platforms are of plank and gravel and are suitably maintained. The station grounds and yards are in good condition. All station employees as well as passenger trainmen are uniformed and wear a badge indicating their employment.

The standard locomotives and cars of the New York Central and Hudson River railroad are used on this division, and all observed were in good condition.

The principal repairs and improvements noted as made since the last inspection are as follows: About 17 miles of additional main track have been constructed and put in use; about 21 per cent. of the cross-ties have been renewed; about 18½ miles of new 80-lb. steel rail have been laid, replacing lighter and worn rail; 28.20 miles of main line track have been re-ballasted with gravel; bridge No. 48 has had abutments rebuilt, and No. 66A renewed with solid metal floor and concrete and the track ballasted over it; 1 new solid floor bridge has been put in on the changed line; necessary repairs have been made to the floor systems of other bridges, and 10 have been repainted; 17 bridges, open culverts and cattle passes, 1 arch, 75 stone box, and 30 iron pipe culverts have been extended for the second main track, and 2 stone box culverts have been replaced with castiron pipe; 1 passenger station has been extensively repaired, 1 new station constructed, and 4 repainted; 22 other buildings belonging to the company have been repaired, and 37 repainted.

Recommendations: That brush and weeds on the Penn Yan branch be cut and removed; that fences be constructed on that branch where lacking, and those on that line as well as the main line out of repair be put in proper condition; and that the missing cattle guards be replaced.

A copy of this report was submitted to the vice-president and general manager of the company, who replied that the recommendations would be complied with; and later, reported in detail the progress of the work.

TUNESASSA AND BRADFORD RAILROAD.

I have made an inspection of the Tunesassa and Bradford Railroad (August 28, 1907), and respectfully report as follows:

The Tunesassa and Bradford railroad, but recently completed and in operation, connects with the River division of the Pennsylvania railroad near Quaker Bridge, and extends to Fricks, where there are extensive lumber mills, and for the handling of the product of which the road was mainly constructed. The length of the main line is 5 miles, and there is belonging to the railroad company about ½ mile of sidings. The owners of the mills, who are also presumably the owners of the railroad, have private tracks extending into the forest from the mills, for conveying timber to the mills; those tracks are changed from time to time as necessity requires, and being private property are not included in this report.

The general alignment of the road is very fair; there are no very sharp curves and there are several long tangents. The grades are fairly regular and not excessive, down grades being in the direction of loaded cars. Near the connection with the Pennsylvania road there are some side-hill cuts that are narrow and ditches partially filled; also in the same vicinity some weak embankments; aside from that, the grading is fairly well done and the drainage fair.

There are no iron or long span wooden bridges, and no overhead obstructions. There are six timber trestles with either pile or framed bents, on standard construction; the stringers are of beech and hemlock timber, and while of sufficient strength and now new, that kind of timber is not durable. The ties on trestles are of beech timber, and there are no guard timbers. The

few open culverts and cattle passes are entirely of timber; they are now in good condition except that they lack guard timbers. There are no arch culverts. Wooden box culverts and vitrified pipe drains are used for conveying small streams of water through the embankments.

The cross-ties are of mixed oak, chestnut, beech, and hemlock timber, laid at the rate of 2,816 to the mile of track; they are fairly well spaced and full spiked; the standard dimensions are 6 x 8 in., 8 ft. in length, but very many of those in track are under size; all are new and in sound condition. The rail is mixed 56, 60 and 67-lb. steel, connected by angle plates 21 and 24 in. in length with four bolts. The rail is second-use and considerably worn, but suitable for the moderate traffic and very slow speed maintained (12 to 15 miles per hour). There are many missing track bolts; those in track are generally tight. The switches are split point and have rigid stands; some of them, however, lack targets. No passenger trains are run or passengers carried, and no night trains operated. No regular schedule is maintained; usually one trip per day over the road in each direction is made. The frogs are rigid. No places were observed where derailing switches were needed. Very little ballast is used, and on most of the road there is none. The alignment and surfacing of track are somewhat irregular, but are safe for the manner in which it is operated. The track is maintained by a foreman and seven laborers.

The right of way is not defined, and practically without fences. The road runs for quite a portion of the distance through forest, and while trees and brush near the track have been cut, there are many trees that, should they fall in the direction of the road, would reach across it.

The only cattle guards maintained are at points where the railroad crosses the division line between farms; they are open pits and constructed entirely of timber. Four highways are crossed at grade; the approaches are in proper condition and the planking good. There are no crossing signs.

The road maintains no stations and no equipment except one small locomotive weighing about 47 tons, which has automatic couplers and air brakes.

Recommendations: That narrow cuts be widened, proper ditches maintained, and weak embankments reinforced; that guard timbers, notched on the ties and securely bolted to them, be put on all trestles, open culverts and cattle passes; that all the rail connections be full bolted: that targets be put on the switch stands where now lacking; that sufficient ballast be put on the road that the track may be kept in fair alignment and surface, as with the present material used in surfacing the track frost and wet weather will affect it injuriously. As very little live stock is kept, and the movements of trains are so slow, I would not consider fences necessary, although the law requires them. All trees near the track that might fall upon it should be cut and removed, and a crossing sign should be placed at each of the highway crossings.

A copy of this report was submitted to the superintendent of the company, who replied that the recommendations would be carried out as rapidly as possible, and that work thereon was commenced as soon as the report was received.

GENESEE AND WYOMING RAILROAD.

I have inspected the Genesee and Wyoming Railroad (August 30, 1907), and respectfully submit the following report:

The Genesee and Wyoming railroad consists of a main line extending from Greigsville on the main line of the Delaware, Lackawanna and Western railroad, to a connection with the Buffalo, Rochester and Pittsburgh railway and Lehigh Valley railroad at Pittsburgh and Lehigh Junction, a distance of 14.39 miles; and a branch extending from Retsof on the main line to Piffard on the Rochester division of the Pennsylvania railroad, a distance of 1.77 miles. There are about 1.85 miles of sidings and yard tracks.

The general alignment of the main line is first class and there are none but very light curves; on the branch line there are some sharp curves and the road is rather crooked; the maximum curve is apparently about 10 degrees; this branch, however, is used only as a switching track to and from the connection with the Pennsylvania at Piffard. The grades of the main line are light; of the branch line steep and somewhat irregular; the maximum is about 200 feet per mile. The cuts and embankments are of full width and proper slopes, and the roadway is well drained.

The steel and iron bridges are in first-class condition; all have been recently or are now being repainted. The masonry is good, ties and guard timbers standard and in good repair. Inside guard rails are maintained on all. There are no wooden bridges or trestles, and no overhead obstructions. Nearly all the open culverts and cattle passes have good masonry and I-beam stringers; a few yet remain that are constructed entirely of timber, but all are in good, safe condition. The ties and guard timbers are standard and in proper repair. There are no arch culverts. The box culverts and iron pipe drains are apparently in good condition.

The standard dimension cross-ties are 6 x 8 in., 8 ft. in length, and are laid at the rate of 2.816 to the mile of track; they are of mixed yellow pine, oak, and chestnut timber and in excellent condition, necessary repairs having been made; all are full spiked and evenly spaced. About 1½ miles of the main line track and all of the branch track are laid with 61-lb. steel rail, the remainder of the main line with 70-lb. steel rail. The 70-lb. rail is in first-class condition; the 61-lb. rail on the main line is in very fair condition; on the branch line not quite so good, and arrangements are made for replacing a considerable portion of it. The 70-lb. rails are connected by angle plates 30 in. in length with six bolts, the 61-lb. by angle plates 24 in. in length with four bolts. All the connections are full bolted, and all main line bolts tight; a few loose bolts were observed on the branch line. All switches are split point and have automatic stands with proper targets, well painted. Switch lamps show red light for danger and white for safety. The frogs are rigid and in good condition. Derailing switches are in all sidings where their use appears necessary, and the stands have proper targets. The track is ballasted with gravel in fair quantity. The alignment and surfacing of track are good, and the outer rail on curves properly elevated. The track is maintained by a foreman and twelve to fifteen laborers, and all parts of the road are patrolled daily.

One track of the Attica branch of the Erie railroad, and one track of the Canandaigua branch of the New York Central and Hudson River railroad, located about 800 ft. apart, are crossed at grade near Pittsburgh and Lehigh Junction; the crossings are protected by an interlocking plant located about midway between the crossings; there are no derailing switches in the tracks of either of the railroads; there are home and distant signals on the line of the New York Central and of the Erie railroads, but only home signals on the track of the Genesee and Wyoming railroad, and all trains of that railroad are required to come to a full stop before crossing. The only interlocking plant maintained is at the crossing of the New York Central and Erie railroads.

The right of way is entirely cleared and fenced with wire and the fences are in good repair. The highway crossings are well graded, properly planked, and protected by signs of the diamond form, suitably located and well painted. Wooden or metallic slat cattle guards are maintained at each boundary of all the highways crossed at grade.

The movements of trains are governed by the telegraphic train order system. The road is used almost entirely for freight purposes, although one train in each direction daily is run on which passengers are carried. The station buildings, while small, are in good repair, properly furnished, and apparently sufficient for the requirements.

The road owns three locomotives, weighing about 55 tons each, and two combined baggage and passenger coaches; all in good condition and equipped with automatic couplers and air brakes.

Since that last inspection about 15 per cent. of cross-ties have been renewed; cattle pass No. 6 has been rebuilt with concrete masonry and I-beams; Nos. 8 and 9 replaced with iron pipe and filling; No. 11 is now being filled; No. 15 has been filled, and No. 16 rebuilt with concrete masonry and I-beams; all metal structures have been or are being repainted; necessary repairs have been made to station buildings and repainting done where necessary.

Recommendation: That distant signals be put in on the Genesee and Wyoming railroad at the grade crossing of the New York Central and the Erie railroads, or that trains of all the roads be required to come to a full stop before crossing.

A copy of this report was transmitted to the general manager of the company; and the commission has been advised that the distant signals have been installed.

DANSVILLE AND MOUNT MORRIS RAILROAD.

I have made an inspection of the Dansville and Mount Morris Railroad (August 30, 1907), and respectfully submit the following report:

The Dansville and Mount Morris railroad extends from Mount Morris to Dansville, a distance of 14.60 miles, single track, with 1.75 miles of sidings and yard tracks; 2.35 miles of the roadway are owned by the Erie Railroad Company, but leased, operated, and maintained by the Dansville and Mount Morris Railroad Company.

The general alignment is good and there are no curves exceeding four degrees. The grades are generally light and for much of the distance level. A few cuts near Mount Morris are rather narrow to admit of proper ditches, and in those cuts ditches are partially filled; nearly all the remaining portion of the road is on embankment, and generally of fair width.

There are two iron bridges with cement masonry; the remaining seven are on abutments and piers of pile bents; all are short spans and in fair condition, with standard ties and guard timbers. There are no long span wooden bridges or overhead obstructions. There are a large number of timber trestles of pile or framed bents; all are low structures. Nearly all open culverts and cattle passes are of the same manner of construction as the trestles, and are generally in fair condition; Nos. 21 and 24 need renewal of ties, and Nos. 25 and 41 have some stringers needing renewal; and an occasional stringer and a few ties are needed on some of the other structures; to which the attention of the superintendent who accompanied your inspector was directed. and assurance given that they would receive prompt and proper attention. Some wooden box culverts are failing and need rebuilding or replacing with stone culverts or iron pipe.

The standard cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of 2,816 to the mile of track; they are of mixed oak, yellow pine, and chestnut timber. About 10 per cent. of them are poor and need renewing; all are very well spaced and full spiked. The track is laid with 60-lb. steel rail, connected by angle plates 24 in. in length with four bolts. The rail is in fair condition for the light traffic and slow speed maintained; all the connections are full bolted, and very few loose bolts were observed. All main track switches are split point excepting in Dansville yard, where some stub switches yet remain; the stands are rigid and in some cases targets are lacking. Switch lamps are not used, night trains not being operated. No sidings were observed where derailing switches appeared necessary. There is very little ballast, and grass and weeds are growing plentifully between the ties. The alignment and surfacing of track have been somewhat improved since the last inspection and are fair for the slow speed maintained. The track sections are about 7¼ miles in length and the force maintained on each consists of a foreman and five laborers.

The right of way is free from trees and brush. Much of the road is constructed through swamps, and in such places weeds have only been cut

for a short distance outside of ends of ties. The fences are of wire, much lacking, and in poor repair. The highway crossings are fairly well graded, planking in good condition, and are protected by signs of the diamond form. Cattle guards are not maintained. The movements of trains are governed by the telegraphic train order system.

At Dansville there is a fair-sized frame passenger and freight station, in good repair and properly furnished. At Sonyea there is a small rustic passenger station, in proper condition. At Mount Morris the station building belonging to the Erie Railroad Company is used.

The company owns two small locomotives and one combination car, all equipped with automatic couplers and air brakes. The equipment, while somewhat old, is apparently in fair condition.

Since the last inspection about 15 per cent. of cross-ties have been renewed; about one-third of a mile of new 60-lb. steel rail laid, replacing worn rail; five small trestles and cattle passes have been filled, one rebuilt and one extensively repaired, and lighter repairs made to other trestles, open culverts, and cattle passes.

Recommendations: That the narrow cuts near Mount Morris be widened and ditches cleaned; that new ties be put on openings Nos. 21 and 24, new stringers on Nos. 25 and 41, and that other lighter repairs to which attention was directed, be made to the other openings; that the wooden box culverts that are failing be rebuilt or replaced; that about 10 per cent. of the cross-ties be renewed; that the loose track bolts be tightened; that the stub switches be replaced with split point switches, and that targets be put on the switch stands where now lacking; that all grass and weeds on the right of way be cut and removed; that fences be put in proper repair; and that cattle guards be maintained at each boundary of all the highways crossed at grade.

A copy of this report was transmitted to the general superintendent of the company, and reply was received from the consulting engineer, in which objection was made to the report as regards the widening of the narrow cuts, on the ground that they were the property of the Erie Railroad Company, and leased by this company. All other recommendations have been complied with, or repairs are in progress. The objection made is under advisement.

PITTSBURGH, SHAWMUT AND NORTHERN RAILROAD.

I have made an inspection of the portion of the Pittsburgh, Shawmut and Northern Railroad in the State of New York (August 29, 1907), and respectfully submit the following report:

The portion of the Pittsburgh, Shawmut and Northern railroad in this State consists of a main line from a connection with the Buffalo and Allegheny Valley division of the Pennsylvania railroad at the Pennsylvania-State line south of Olean to Wayland, on the line of the Delaware, Lackawanna and Western railroad, a distance of 68.90 miles, with 12.55 miles of siding and yard tracks; the Olean branch, from Olean Junction on the main line to Olean, a distance of 9 miles, with 1.12 miles of sidings and yard tracks; and the Hornell branch, from Hornell Junction on the main line to Hornell, a distance of 9.29 miles, with 4.10 miles of sidings and yard tracks.

The main line is considerably crooked, but most curves are light; the maximum is 10 degrees, south of Swain's. The general alignment of the Olean branch is very fair, having been somewhat improved since the last inspection by changing the line; in a branch track, however, connecting with the Pennsylvania railroad at Olean, which was formerly the main line, there is a curve of 22 degrees; a new line has been constructed and new station built in another part of the town, therefore the track on which this curve occurs is used only for switching purposes. The general alignment of the

Hornell branch is good, the only sharp curve being one of 10 degrees at the junction with the main line. The grades of the main line have also been improved and are generally moderate; there still remains one of about 86 ft. per mile between Grove and Swain's, for a distance of about a mile. The maximum grade of the Olean branch is 76 ft. per mile for about ⅛ of a mile, near White House. The Hornell branch is fairly level; the maximum grade is 22 ft. per mile.

The cuts and embankments of all the lines are of good width and proper slopes, excepting that there are a few cuts through material of a clay and quicksand nature south of Angelica where the slopes have slipped, filling the ditches to quite an extent. These ditches have been frequently cleaned, but owing to the nature of the material each heavy storm brings down more from the slopes, blocking them again. It is proposed to do more widening of these cuts, which will be beneficial. Aside from the places above mentioned, the drainage is good.

The steel and iron bridges are generally in good condition, and aside from the viaduct at Stony Brook Glen are of sufficient strength to carry with safety the heavier class of motive power and rolling stock used on the road. The Stony Brook Glen viaduct, which is about 700 ft. in length and 138 ft. in height, is an old and very light structure. A new steel viaduct is now being constructed alongside the old one and is expected to be completed in October of this year. The old viaduct appears to be in practically the same condition as it was when I first examined it, eight years ago; since the last inspection, repairs have been made to some of the foundations that needed them. The movements of trains over this structure are limited to four miles per hour; the heavier class of motive power is not allowed upon it, nor the 100,000 capacity cars. The other bridges are generally well painted; most of them have good stone or concrete masonry; a few, north of Angelica, have been erected on pile abutments pending the building of masonry; all these are secure. The ties and guard timbers are of standard dimensions and generally in good repair, and men are engaged making additional repairs as needed. Inside guard rails are maintained on only one bridge. The only spans of wooden bridge are for overhead highway and farm crossings; and in many, castiron is used for that purpose; all are apparently in good condition. There is only one overhead obstruction, and that is a low bridge on the "Y" connecting with the Pennsylvania railroad at Olean; warning signals are in place, but need repairing. There are quite a number of pile and framed bent trestle structures yet remaining; they are of standard construction and most of them in fair to good condition; arrangements are made for eliminating a number of them by filling or replacing with steel or iron bridges. Trestles Nos. 27, 33, and 38 have arrived at such condition that rebuilding or replacing should be done promptly. The open culverts and cattle passes on the portion of the road south of Angelica have practically all good masonry and I-beam stringers with standard floors, properly maintained; on the other portions of the road there yet remains some that are constructed entirely of timber, generally in good condition, but Nos. 49½, 52, 53, 54, 55, and 56 should be renewed soon. The arch and stone box culverts and iron pipe drains are apparently in good condition.

The standard dimensions of cross-ties are 7 x 7 in., 8 ft. in length, and they are laid at the rate of 2,560 to the mile of track; they are of mixed yellow pine, cypress, oak, and chestnut timber; are fairly well spaced and full spiked. The general condition of the ties is good; necessary renewals have been or are being made. Of main line track, 53.49 miles are laid with 85-lb., and the remainder, 15.41 miles, with 56-lb. steel rail. The 85-lb. rails are connected by Weber joints 30 in. in length with six bolts, and the 56-lb. by angle plates 21 in. in length with four bolts. The 85-lb. rail is in first-class condition, and much of it new; the 56-lb. rail is somewhat worn, but is in fair condition. All the connections are full bolted and bolts tight. The Olean branch track is laid with 56-lb. steel rail, connected by angle plates 21 in. in length with four bolts. This rail is also somewhat worn, but not in bad condition. All the connections are full bolted and bolts tight. The

Hornell branch is laid with 56-lb. steel rail, connected by angle plates 21 in. in length with four bolts. This rail is considerably worn and some renewals are needed. The connections are full bolted, but some loose bolts were observed. All main track switches are split point, and have automatic stands with proper targets. Switch and semaphore lamps show red light for danger and green for safety. Spring rail frogs are used with the 85-lb. rail, and rigid with the 56-lb.; all are in good condition. Derailing switches are in all sidings where their use appears necessary, and have proper targets. The track is ballasted with gravel and cinders and generally in fair quantity. Considerable new ballast has been put in since the last inspection. The alignment and surfacing of track are good, and the outer rail on curves properly elevated. The track sections are about 6½ miles in length and the force maintained on each consists of a foreman and four laborers. Each gang is furnished with flags, lanterns, and torpedoes, and all portions of the track are patrolled daily.

One track of the Buffalo and Allegheny Valley division of the Pennsylvania railroad is crossed at grade at White House; the crossing is protected by a modern and complete interlocking plant. One track of the Olean street railway crosses both legs of a "Y" track at Ceres; there are no derailing switches in the track of the electric road nor protection over the trolley wire; the conductors of the electric cars are required to pilot their cars across the track of the steam road. The only interlocking plant maintained is at the crossing of the Pennsylvania railroad at White House; it is modern and complete, with home and distant signals, and derailing switches in all tracks approaching the crossing, and is operated from a tower.

The right of way is free from trees, brush, and rubbish; grass and weeds have been cut and removed. The fences are of wire, much poor, and in places lacking. The highway crossings are properly graded and well planked, and are protected by signs of the diamond, X, or banner form, suitably located and well painted. A few crossings were observed, and the attention of the officials who accompanied your inspector directed to them, where brush outside of the company's right of way, and generally within the limits of the highway, to some extent obscures the view of approaching trains, and request was made that such obstructions to the view be removed. The cattle guards are of the wooden slat pattern, and in some places lacking. One highway crossing (at Canaseraga) is protected by a flagman; all others by crossing signs only.

The movements of trains are governed by the telegraphic train order system, semaphore signals being placed at telegraph stations to stop trains for orders when necessary.

The station buildings are in very good repair and are properly furnished; water for drinking is provided, and time-tables are posted in the waiting room. The platforms are of plank and gravel and well maintained. Station employees wear uniform.

All motive power and rolling stock observed were in very good condition and entirely equipped with automatic couplers and air brakes. The passenger cars are heated by steam and lighted with oil lamps. Water for drinking is provided, and emergency tools are properly located in the cars. All passenger trainmen wear uniform.

The principal repairs and improvements noted as made since the last inspection are as follows: A new brick passenger station has been erected at Olean at a new location. and the yard at that place improved; the Olean branch track for about a mile north of White House has been changed, and grade and curves reduced; a new steel viaduct on concrete and masonry is now being erected at Stony Brook Glen; the length of the structure is 640 ft. and the height above masonry 240 ft., total height above bottom of the glen, about 250 ft.; on the Olean branch a new iron bridge has been put in, replacing a timber trestle; one timber trestle filled, one entirely rebuilt; two open culverts and cattle passes formerly of timber have been replaced with masonry and I-beams, and three filled; necessary repairs have been made to other trestles, open culverts, cattle passes, and to bridge, open culvert, and

cattle pass floors; a new coach house has been erected at Angelica, and a water system installed at that place; the Hornell depot has been repaired and repainted and a new brick platform put in; necessary repairs have been made to other station buildings, and several of them have been repainted.

Recommendations: That trestles Nos. 27, 33, 38, and open culverts and cattle passes Nos. 49½, 52, 53, 54, 55, and 56 be rebuilt or replaced in the near future; that loose track bolts on the Hornell branch be made tight; that the fences be put in proper repair; that brush in the vicinity of the highway crossings which obscures the view of approaching trains be cut and removed; that cattle guards with proper guard fences be put in at places where now lacking; and warning signals at the low overhead bridge be repaired.

A copy of this report was transmitted to the receiver of the company, who replied that the improvements recommended would be made as early as possible; and later, reports of progress have been made.

CRANBERRY LAKE RAILROAD.

I have inspected the Cranberry Lake Railroad (September 2, 1907), and respectfully submit the following report:

The Cranberry Lake railroad, a single track line, connects with the Carthage and Adirondack branch of the New York Central and Hudson River railroad at Benson Mines, and extends to Wanakena on Cranberry lake, a distance of 6 miles; it has about one mile of sidings and yard tracks. The Rich Lumber Company, located at the terminal of the road at Wanakena, has constructed several miles of tracks in the forest for conveying logs, and their mill is located at Wanakena. These tracks are changed from time to time as necessity requires, and are not the property of the Cranberry Lake Railroad Company, but are private, and are not included in this report; neither is the equipment included which is used upon them, and which is also private property.

The road is considerably crooked; the maximum curve is about 12 degrees. The grades are fairly steep and somewhat broken, maximum 100 ft. per mile. The cuts and embankments are somewhat narrow, but have been widened to some extent since the last inspection. The ditches have also been somewhat improved, but additional ditching is required in some of the cuts.

There are no steel or iron bridges in the roadway. The only span bridges are on a branch track leading to the mill, and are three spans of timber truss about 40 ft. each, of sufficient strength, in good repair, and erected on concrete masonry. There are three timber trestles with pile or framed bents, standard ties and guard timbers. The most extensive one, about 800 ft. in length and 20 ft. in height, is more than half filled, and it is proposed to fill the remaining portion this season; at each of the others concrete masonry has been erected and timber bridges are to be put on, and are already framed ready for erection; the balance of the trestles will be filled. Some small streams in swamps are crossed on structures made of timber decking and wooden stringers; these are in good condition and have standard ties and guard timbers, in proper repair. There are no cattle passes, and small openings for passage of water through embankments are generally of timber; they are in proper condition. Some drain pipe has been used; and where the large trestle is being filled, a concrete culvert has been put in.

The cross-ties are of mixed hemlock, tamarack, beech, and other hard wood timbers; they are 6 to 8 in. face, 8 ft. in length, and laid at the rate of 2,640 to the mile of track; they are in fair condition, quite extensive renewals having been made, are fairly well spaced and full spiked. The main track is laid with 60-lb. steel rail, somewhat worn but in fair condition for the light traffic and low speed maintained (about 12 miles per hour). The rails are connected by angle plates 24 in. in length with four bolts. The

connections are full bolted, and no loose bolts were observed. The main track switches are split point and have rigid stands with proper targets. The frogs are rigid and in fair condition. No sidings were observed upon which derailing switches were considered necessary. Switch lamps are not used, no night trains being run. The track is lightly ballasted with gravel. The alignment and surfacing of track, while somewhat irregular, are fair for the slow speed at which the trains run. The track is maintained by a foreman and twelve to fifteen laborers. The road runs through forest for practically its entire length, and while all trees and brush near the track have been cut, there still remain some old logs, brush, and refuse materials. No fences are maintained, or apparently necessary. Two highways are crossed at grade. The approaches are in good condition, planking well maintained, and are protected by signs of the diamond form.

The road owns no station buildings; at Benson Mines that of the New York Central and Hudson River railroad is used, and at Wanakena a store belonging to the mill company.

The equipment owned by the railroad company consists of one small locomotive, one combination, and one passenger car; all equipped with automatic couplers and air brakes. The mill company owns one locomotive, 20 flat cars, and 27 log cars, which at times are operated on the line of the Cranberry Lake railroad; they are all equipped with automatic couplers and air brakes.

Since the last inspection about 25 per cent. of the cross-ties have been removed; light ballasting has been done over the greater portion of the road; masonry has been constructed, ready for the erection of bridges, at two points where streams are now crossed on timber trestles; a concrete culvert has been put in and the most extensive trestle about half filled; guard timbers have been put on trestles where at previous inspection they were lacking; and crossing signs have been erected at the highway crossings at grade.

Recommendations: That narrow cuts be additionally widened, proper ditches made, additional ballasting be done, and the alignment and surfacing of track improved.

A copy of this report was submitted to the superintendent of the company, who replied that the recommendations would be complied with; and later, satisfactory reports as to progress have been received.

JAMESTOWN, CHAUTAUQUA AND LAKE ERIE RAILWAY.

I have inspected the Jamestown, Chautauqua and Lake Erie Railway (September 19, 1907), and respectfully submit the following report:

The Jamestown, Chautauqua and Lake Erie railway is a single track line, and extends from Jamestown, on the line of the Meadville division of the Erie railroad, to Westfield, where it connects with the Lake Shore and Michigan Southern railway, a distance of 31.25 miles, and has about 5 miles of sidings and yard tracks. This road also has a branch track which connects with the Chautauqua division of the Pennsylvania railroad at Mayville, and extends to Chautauqua, a distance of 2.68 miles. This track has been paralleled by an electric railroad, and no passenger trains or regular freight trains are operated over it, and it is now used only as a switching track. It is in fair condition for that purpose, and is not further considered in this report. The road has trackage right over the Chautauqua division of the Pennsylvania from the connection with the Chautauqua branch at Mayville to the connection with its own main line, a distance of about 1.20 miles. The Falconer branch, which extended from a connection with the main line near Jamestown to a connection with the Dunkirk, Allegheny Valley and Pittsburgh railroad at Falconer, a distance of 3.46 miles, has been abandoned for several years, and if again put in operation will have to be almost entirely rebuilt.

The road is very crooked. From Jamestown to Mayville most curves are light; the maximum is 12 degrees. Between Mayville and Westfield there are many sharp curves; the maximum is 18 degrees, at the Westfield terminal; aside from that, there are no curves sharper than 12 degrees. Between Jamestown and Mayville the grades are generally light, although there is a short piece of 80 ft. per mile; from Mayville to Westfield the grades are long and steep, maximum 106 ft. per mile.

From Jamestown to Mayville the cuts and embankments are generally light, of fair width and proper slopes, and ditches in fair condition in most cases. From Mayville to Westfield there are many clay and quicksand cuts that have steep slopes which in cases have washed or slid, entirely filling the ditches. Aside from the places mentioned, the ditches are generally fair. The embankments are of fair width and natural earth slopes.

The only iron bridge is an I-beam span over a highway near Westfield; it has concrete masonry and standard ties and guard timbers, all in good condition. The only long span wooden bridge is a Howe truss structure on freight house track at Jamestown; it is very old, the timber considerably decayed, and is now on bents pending renewal. In the roadway between Jamestown and Mayville there are very many pile and framed bent trestles, used in crossing streams, and the open culverts and cattle passes are of similar construction. On the portion of the road between Mayville and Westfield there is but one trestle remaining; it consists of nine spans of framed bents and is in good condition throughout. The open culverts and cattle passes on this portion of the road have abutments of masonry, timber stringers, standard ties and guard timbers. Of trestles between Jamestown and Mayville the following mentioned renewals and repairs are needed: No. 11 should have new bents, ties and guard timbers; Nos. 14, 39, and 49 new ties and guard timbers; Nos. 10, 17, 29, 33, 44, 45, and 48 new guard timbers. Of the open culverts and cattle passes on that portion of the road, No. 34, should be rebuilt entirely; Nos. 15 and 25 should have new stringers, ties and guard timbers; No. 28 new stringers and guard timbers; Nos. 8, 9, 16, 18, 19, 26, 30, and 37 new ties and guard timbers; Nos. 12, 13, 20, 21, 22, 23, 24, 27, 31, 35, 36, 38, 41, and 43 new guard timbers. On the portion of the road between Mayville and Westfield, No. 3 needs new ties; No. 5 should have masonry rebuilt promptly; and Nos. 8 and 9 will require masonry rebuilt before very long. The arch, box, and vitrified pipe culverts are in very good condition. A few wooden box culverts were observed that will need renewing soon. All the defects above mentioned, as well as all others observed, were called to the attention of the superintendent of the road, who accompanied your inspector, who advised that they would receive prompt and necessary attention.

The standard dimensions of cross-ties are 6 x 8 in., 8 ft. in length, and they are laid at the rate of 2,816 to the mile of track; they are about 50 per cent. oak, the balance chestnut and other native timbers. On the portion of the road between Jamestown and Mayville there are a great number of decayed ones, and about 25 per cent. of all now in track should be renewed. Quite extensive renewals have been made, and many additional ties are distributed ready to put in track. All are full spiked. On the portion of the road between Mayville and Westfield the condition of ties is much better. The track has only been built a few years and as yet very few renewals have been needed; the ties, however, are showing age and wear, and by another year very extensive renewals will be required. The rail in main track between Jamestown and Mayville is 60-lb. steel, connected by 24-in. angle plates with four bolts; much of the rail is considerably worn and bent, and quite extensive renewals are needed. All the connections are full bolted and bolts tight. Between Mayville and Westfield the track is laid with 70-lb. steel rail, connected by 34-in. angle plates with six bolts; this rail is in very good condition, having been in track but a few years. All the connections are full bolted and bolts tight. All main track switches are split point; both rigid and automatic stands are in use and have proper targets, fairly well painted. Switch lamps show red light for danger and white for safety.

The frogs are rigid and in fair condition. Derailing switches are in sidings where their use appears necessary, but are not all supplied with targets. The portion of the road between Jamestown and Mayville is lightly ballasted with gravel. Considerable re-ballasting has been done since the last inspection, and an extra train with a force of about twenty men is now engaged getting out gravel and putting it in track. The remaining portion of the road is ballasted with gravel in medium quantity. The alignment and surfacing of the track from Mayville to Jamestown are considerably irregular, but have been somewhat improved; on the remaining portion of the line of the road the alignment and surfacing are very fair. The track sections are about 5½ miles in length, and at present there are engaged upon each section a foreman and eight laborers. Each gang is furnished with flags and lanterns, and all portions of the road are patrolled daily.

Three tracks of the Meadville division of the Erie railroad are crossed at grade at Jamestown; the crossing is protected by a modern and complete interlocking plant. One track of the Chautauqua division of the Pennsylvania railroad at Mayville, protected by a modern and complete interlocking plant. One track of the Jamestown street railway (electric) crosses at grade at Jamestown; there are no derailing switches in the track of the electric railroad nor protection over the trolley wire; the conductors of the electric railroad are supposed to pilot their cars across the track of the steam railroad, but while all cars slowed down for the crossing, very few came to a full stop, nor did the conductors go ahead of their cars to the crossing.

There are no trees remaining on the right of way, but much small brush; and grass and weeds have been cut only on portions of the road this season. The fences are generally of wire, much lacking on the old road and some on the new, and a considerable portion of that maintained is in bad repair.

The highway crossings are very well graded, planking in good condition, and are protected by signs of the diamond form. No cattle guards are maintained.

The movements of trains are governed by the telegraphic train order system. Semaphore signals are maintained at telegraph stations. Mile and whistle posts are apparently correctly located.

The stations at which agents are employed are in very good condition and are apparently sufficient for the requirements. The platforms are of gravel. Water for drinking is provided, and time-tables are posted in the waiting rooms. They are clean and neat, and the sanitary condition good. The station employees are not uniformed. There are very many flag stops, at most of which shelter is provided. These places, like practically all others of a similar character, are abused by the people for whose benefit they are provided, and in most cases were dirty. I was advised they were frequently cleaned.

The railroad company owns 5 locomotives, 5 coaches, 2 combination cars, and 4 flats. All except the flat cars have automatic couplers and air brakes; the flat cars are used only in maintenance service, and have pin and link couplers and hand brakes. The passenger cars are heated by steam and lighted with oil lamps. Drinking water is supplied, and emergency tools are properly located. Chemical fire extinguishers are carried on the cars. All passenger trainmen wear uniform.

The principal repairs and improvements noted as made since the last inspection are as follows: Some cuts have been widened and ditches improved; timber trestle No. 7, on the Westfield end of the road, has been filled; on the Jamestown end, cattle pass No. 21 has been rebuilt; trestle No. 29 has had new ties put on; several small openings have been rebuilt, and repairs made to other trestles, open culverts, and cattle passes; about 20 per cent. of the cross-ties have been renewed, and about 5 miles of track re-ballasted with gravel.

Recommendations: That repairs or renewals to bridges, trestles, open culverts, and cattle passes, as indicated in the body of the report, be made promptly; that approximately 25 per cent. of cross-ties be renewed; that

necessary renewal of rail be made; that targets be put on the stands of derailing switches where now lacking; that the remaining portion of the track between Jamestown and Mayville be re-ballasted sufficiently that it may be kept in proper alignment and surface, and that such alignment and surfacing be done; that brush, grass, and weeds on the right of way be cut and removed; that the fences be put in proper repair; and that cattle guards be maintained at each boundary of all the highways crossed at grade.

A copy of this report was transmitted to the traffic manager of the company. He replied, that the work recommended would be completed in the spring.

NIAGARA JUNCTION RAILWAY.

I have inspected the Niagara Junction Railway (September 18, 1907), and respectfully submit the following report:

The Niagara Junction railway is a single track line, extending from Port Day on the Niagara river, a short distance south of Niagara Falls, to a connection with the Rochester, Lockport and Niagara Falls branch of the New York Central and Hudson River railroad at a point about two miles east of Suspension Bridge. The length of the road is 5.70 miles, and it has 8.74 miles of sidings and yard tracks. The road crosses over the Buffalo and Niagara Falls branch of the New York Central and Hudson River railroad and of the Erie railroad south of Echota, at which place a connection is made with the Erie, and a connection is made with the New York Central and Hudson River railroad near Port Day. The road has branch tracks extending into the yards of the various industries north of Port Day, and the only portion of the road now being used is from Port Day to east of the crossing of the New York Central and the Erie railroads, a distance of about three miles. No passenger trains are operated, the road being used only for switching purposes.

The general alignment is very fair, although there are sharp curves into the yards of the various industries. The grades are light excepting the approaches to the overhead crossing of the New York Central and Erie, where they are apparently about 1 per cent.

The steel and iron bridges are in first-class condition and have good masonry; the ties and guard timbers are of standard dimensions and well maintained. Inside guard rails are maintained on long spans. There are two short pieces of pile trestle, of standard construction and in good repair. There is one open culvert, with good masonry, I-beam stringers, standard ties and guard timbers, in good repair. The box culverts and iron pipe drains are in proper condition.

The cross-ties are 7 x 9 in., 8 ft. in length, and laid at the rate of 2,816 to the mile of track; they are nearly all oak, are evenly spaced, full spiked, and in sound condition. The track is laid with 70-lb. steel rail, connected by angle plates 30 in. in length with four bolts. The rail is in good condition, all connections full bolted, and bolts tight. The switches are split point and have stands automatic for main track, all in good condition. The frogs are rigid. The track is well ballasted with broken stone.

The track force consists of a foreman and four laborers.

There are no trees, brush, or rubbish on the right of way. Fences are only maintained where grazing land adjoins the railroad. The highway crossings are well graded, properly planked, and protected by signs of the diamond form.

The equipment consists of two locomotives and four flat cars; the locomotives have automatic couplers and air brakes and are in good condition; the flat cars have automatic couplers; two of them are equipped with air brakes and the remaining two have hand brakes. These cars are only used

about the company's premises, to remove refuse, etc., upon the company's tracks.

The road is in first-class condition for the purpose used, and no recommendations appear necessary.

BUFFALO AND SUSQUEHANNA RAILWAY.

I have inspected the Buffalo and Susquehanna Railway Company's lines in the State of New York (September 20 and 21, 1907), and respectfully submit the following report:

The Buffalo and Susquehanna Railway Company operates in this State railroads as follows: The Buffalo and Susquehanna railway, main line, from a connection with the Lake Shore and Michigan Southern railway at Blasdell to Wellsville, a distance of 84.30 miles, single track, and having a spur track into the vilage of Springville 1.36 miles in length; and about 13.66 miles of sidings and yard tracks; the Wellsville, Coudersport and Pine Creek railroad, a single track line, which connects with the Buffalo and Susquehanna railway at Wellsville, and extends in this State to the Pennsylvania-State line at Genesee, a distance of 10.11 miles, and has 2.87 miles of sidings and yard tracks; the Addison and Susquehanna railroad, from a connection with the Erie Railroad at Addison to the Pennsylvania-State line near Nichols, a distance of 9.73 miles, single track, with 2.16 miles of sidings and yard tracks.

The Buffalo and Susquehanna railway has very fair general alignment from Buffalo to east of Arcade; from that point to Wellsville the route is very circuitous. The curves are generally light, with maximum of about 6 degrees. The grades of the road are generally light and regular; the maximum is about 53 ft. per mile, near Pixley Summit. The Wellsville, Coudersport and Pine Creek railroad is also considerably crooked, but has been somewhat improved by change of line; the maximum curve is 12 degrees. The grades are light, maximum 20 ft. per mile. The Addison and Susquehanna railroad is also very crooked and many curves sharp; maximum, 20 degrees, near Freeman. The grades of this road are long but fairly regular; maximum, 53 ft. per mile.

The Buffalo and Susquehanna railway, which is a new road, completed and put in operation during the past year, is fairly well graded and drainage good. There are a few cuts, through material of a clay and quicksand nature, which have slopes sliding and will need additional widening. Some embankments, made of material of the same nature, have also slipped and will have to be additionally widened. The Wellsville, Coudersport and Pine Creek railroad has a few narrow side cuts that will need additional widening. The embankments are of good width and the ditches in fair condition. The Addison and Susquehanna is fairly well graded, and ditches in proper condition.

The steel and iron bridges of the Buffalo and Susquehanna railway are new and up to modern requirements, have good concrete masonry, standard ties and guard timbers. Inside guard rails are maintained on a few and are promised for all the long and high structures. On the Wellsville, Coudersport and Pine Creek railroad there are but two iron bridges; they have good stone masonry, are in good condition, well painted, and have standard ties and guard timbers, in good repair; no inside guard rails are maintained. On the Addison and Susquehanna there are but two iron bridges; they have good masonry, standard ties and guard timbers, and are well painted, no inside guard rails are maintained. The bridge across the Canisteo river at Addison had chord bars bent by an ice freshet several years ago; this does not, however, appear to have impaired the strength of the structure, although it detracts somewhat from its appearance; this bridge needs new ties and guard timbers. The ties and guard timbers on the other iron bridge are in good condition. There are no wooden bridges in the roadway; a few of the overhead highway and farm crossings have wooden bridges, but most of

them are iron; all are in proper condition. The only overhead obstruction is the bridge where the road goes under the Buffalo division of the Pennsylvania railroad; it is protected by a warning signal. On the Buffalo and Susquehanna railway there are several trestle structures in the roadway; they are either of pile or framed bents, of standard construction, and in good repair. There is one very long trestle, consisting of 190 spans of 12 ft. each, at Blasdell; it is of hemlock timber on pile foundation, and is expected to be filled soon. There are several pile and framed bent trestles on the Wellsville, Coudersport and Pine Creek railroad of similar construction, generally in good condition; Nos. 1, 2, 7, and 8, however, need new ties and guard timbers, and stringers partially renewed; new floors have been put on Nos. 9 and 11, and materials are on hand and men working on the other structures. The only trestle remaining on the Addison and Susquehanna is one of 7 spans, near Addison; it is of framed bents on pile foundation and is in good condition, excepting that it needs new ties and guard timbers. There are very few open culverts and cattle passes on the Buffalo and Susquehanna; nearly all of them have concrete masonry and I-beam stringers; a few are entirely of wood; all are in good condition, and have standard ties and guard timbers. There is one open culvert on the Wellsville, Coudersport and Pine Creek railroad; it is constructed entirely of timber and is in fair repair. All open culverts and cattle passes of the Addison and Susquehanna are entirely of timber; Nos. 4, 6, 7, 10, and 11 need new ties and guard timbers; the others are in proper condition. There are no arch culverts on the Wellsville, Coudersport and Pine Creek, or the Addison and Susquehanna; there are many on the Buffalo and Susquehanna, all of concrete. There is one of 20-ft. span between Belfast and Caneadea, built on pile foundation, where the embankment and the material on which the embankment rests have slipped, breaking the arch to an extent that it has been timbered thoroughout to support it. With this timbering, the structure is safe for the present. It is probable that an iron tube or a reinforced concrete tube will be put on the inside of the arch; this can be done and made permanent. The stone box and iron pipe culverts on all the roads are apparently in good condition. There are a few wooden box culverts on the Addison and Susquehanna; they appear to be in proper condition, and are being replaced as rapidly as occasion requires.

The standard dimensions of cross-ties are 7 x 8 in., 8 ft. in length, and they are laid at the rate of 2,816 to the mile of track. On the Buffalo and Susquehanna they are about 80 per cent. yellow pine, and the balance oak and chestnut; all are new, are evenly spaced, and full spiked. On the Wellsville, Coudersport and Pine Creek they are of mixed yellow pine, oak, chestnut, beech, and other hard wood timbers; about 10 per cent. need renewal. Those on the Addison and Susquehanna are of about the same proportion of timber, and about the same percentage of renewal is required. The Buffalo and Susquehanna tracks are laid entirely with 80-lb. steel rail, connected by angle plates 26 in. in length with four bolts. This track is entirely new, all connections full bolted and bolts tight. The Wellsville, Coudersport and Pine Creek is also laid with 80-lb. steel rail, connected by angle plates 26 in. in length with four bolts, and 40 in. in length with six bolts; the rail is in good condition, all connections full bolted and bolts tight. The Addison and Susquehanna is also laid with 80-lb. steel rail, connected by angle plates 26 and 40 in. in length with four and six bolts; this rail is very much worn, and most of it should be renewed. Some new rail has been put on the curves, and additional new rail is being laid. All main track switches are split point, and have automatic stands with well painted targets. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution signals. The main track frogs are spring rail, and are properly maintained. Derailing switches are in all sidings where their use appears necessary, and have proper targets. The Buffalo and Susquehanna railway is being well ballasted with gravel; the ballasting is not yet complete, although some ballast has been put on all the road and the work is being continued. The Wellsville, Coudersport and Pine Creek is lightly bal-

lasted with gravel, and about one-third of the road has been re-ballasted since the last inspection. The Addison and Susquehanna is also lightly ballasted with gravel. The alignment and surfacing of the Buffalo and Susquehanna railway tracks are good; of the Wellsville, Coudersport and Pine Creek, and the Addison and Susquehanna, fair. The outer rail on curves is properly elevated for the speed at which the trains are scheduled. The average length of track sections is about 5 miles, and the force employed upon each consists of a foreman and five laborers. Each gang is furnished with flags, lanterns, and torpedoes. All portions of the track are patrolled daily.

No railroads, steam or electric, are crossed at grade, and no interlocking plants are maintained.

The right of way is free from trees, brush, or rubbish; grass and weeds have been cut. The fences are of wire; on the Buffalo and Susquehanna all are new and in good condition; on the Wellsville, Coudersport and Pine Creek, and the Addison and Susquehanna, while considerable improvement has been made, more repairs are needed. The highway crossings are well graded, planking in good condition, and are protected by signs of the diamond or X form, properly located and well painted. Wooden slat cattle guards are maintained at each boundary of all the highways crossed at grade. One highway crossing is protected by an electric bell, and the remaining ones by crossing signs only.

The movements of trains are governed by the telegraphic train order system. Semaphore signals are now being erected at telegraph stations. Distances are marked on telegraph poles, and whistle posts are at the prescribed distance from the highway crossings.

The station buildings of the Buffalo and Susquehanna are all wood; they are of modern construction and apparently designed to meet the requirements. A new station has not yet been constructed at Springville; a temporary one is now used there, and the building of the new station is expected to be commenced right away. The only station in this State on the Wellsville, Coudersport and Pine Creek is at Wellsville; it is a brick building in first-class condition, and has a new concrete platform. The only station buildings on the Addison and Susquehanna are at Addison and Freeman; both are wooden buildings and in fair repair. All the stations are clean and neat, and in good sanitary condition. At stations where there is a water system, modern sanitary plumbing has been put in the closets; at stations where there is no water system, outside closets are maintained. Water for drinking is furnished, and time-tables are posted in the waiting rooms. The station platforms are of cement, plank, and gravel, and are well maintained. Station employees wear uniform.

The freight and passenger equipment is in first-class condition, all equipped with automatic couplers; all the passenger equipment and about 98 per cent. of the freight have air brakes. The coaches are heated by steam, and lighted with oil and gas lamps. Water for drinking is provided, and emergency tools are properly located in the center of the cars. All trainmen wear uniform. There have been added to the equipment since the last inspection 21 locomotives, 300 box cars, 2,100 coal cars, 50 flat cars, 15 ballast cars, 20 cabooses, 18 passenger cars, and a smoker.

The principal new work, repairs, and improvements noted as made since the last inspection are as follows: The Buffalo and Susquehanna railway has been completed and put in operation, with everything new; on the Wellsville, Coudersport and Pine Creek about half a mile of the line has been changed, reducing curvature; trestle structure No. 3 has been filled, and No. 4 is now being filled; new ties and guard timbers have been put on bridge No. 5, and trestles Nos. 9 and 11; some widening of cuts and embankments has been done, and ditches improved; about 15 per cent. of the cross-ties have been renewed; about one-third of the road has been re-ballasted with gravel; three miles of new fence have been constructed; on the Addison and Susquehanna railroad, pile trestle No. 12 has had piles cut off and new framed bents put on; light repairs have been made to open culverts and cattle passes; about 15 per cent. of the cross-ties have been renewed; about ½ mile of new

80-lb. rail put in, replacing worn rail, and some repairs have been made to fencing.

Recommendations: That repairs and renewals as indicated in the body of the report be made to trestles, open culverts, and cattle passes, and to bridge, trestle, open culvert, and cattle pass floors; that approximately 10 per cent. of the cross-ties of the Wellsville, Coudersport and Pine Creek, and the Addison and Susquehanna, railroads be renewed; that necessary renewal of rails be made on the Addison and Susquehanna; and that necessary repairs be made to fences.

A copy of this report was submitted to the vice-president and general manager, who replied that all recommendations had been favorably passed upon, a part of the work completed, and balance in progress.

BUFFALO CREEK TRANSFER RAILROAD.

I have made an inspection of the Buffalo Creek Transfer Railroad (October 29, 1907), and respectfully submit the following report:

The Buffalo Creek Transfer railroad consists of a series of switching tracks on what is known as the "Island," in South Buffalo. The tracks connect with the tracks operated by the Buffalo Creek and the Pennsylvania railroads, and extend into the coal yard of Frank Williams & Co.

This road is used only for handling the business of the coal company, and the movements over it are necessarily very slow. The tracks, while not in the best condition, are safe for the purpose for which they are used. The company, which owns both the coal yard and the railroad tracks, also owns one small locomotive, used in handling cars about the yard, but no rolling stock.

PORT CHESTER TERMINAL RAILROAD.

I have made an inspection of the Port Chester Terminal Railroad (September 30, 1907), and respectfully submit the following report:

The Port Chester Terminal railroad consists only of short switching tracks connecting with the New York, New Haven and Hartford railroad at Port Chester, and extending into the yard of the Port Chester Bolt and Nut Company, and is operated by The New York, New Haven and Hartford Railroad Company's switching engines in putting in and taking out cars at the Bolt and Nut Company's works.

The road owns no rolling stock. The tracks are in proper condition for the purpose for which they are used.

MIDDLETOWN, UNIONVILLE AND WATER GAP RAILROAD.

I have made an inspection of the Middletown, Unionville and Water Gap Railroad (October 3, 1907), and respectfully submit the following report:

The Middletown, Unionville and Water Gap railroad, which is operated by the New York, Susquehanna and Western Railroad Company, and that in turn by the Erie Railroad Company, extends from a connection with the main line of the New York division of the Erie railroad at Main street, Middletown, to the Pennsylvania-State line near Unionville, a distance of 13.65 miles, single track, and has 2.86 miles of sidings and yard tracks.

The general alignment of the road is very good and most curves are light; the maximum, aside from one of 10 degrees in the yard at Middletown, is 6 degrees. The grades are generally light, and aside from one about 900 ft. in length approaching the overhead crossing of the Erie railroad at Middletown, which is 123 ft. per mile for that distance, the maximum is 53 ft. per mile.

The cuts and embankments are of proper width and slopes, and the roadway is well drained.

The steel and iron bridges, while several of them are light, are in good condition, excepting that they would be benefited by a coat of paint, and are of sufficient strength for the class of motive power and rolling stock used on the road. Bridge No. 80.30 has one poor abutment, which will need rebuilding before very long; aside from that the masonry to the bridges is good. All have standard ties and guard timbers, properly maintained. There are no wooden bridges or timber trestles. A few of the open culverts and cattle passes are constructed entirely of wood; others have timber abutments and rail stringers; some have masonry and I-beam stringers. All are in safe condition and have standard ties and guard timbers, in good repair. The arch and box culverts and iron pipe drains are in proper condition.

The standard cross-ties are 7 x 9 in. 8 ft. 6 in. in length, and laid at the rate of 2,816 to the mile of track; they are about 60 per cent. yellow pine and the remainder about equally divided between oak and chestnut. They are in good condition, very extensive renewals having been made, and are well spaced and full spiked. The track is laid entirely with 60-lb. steel rail, connected by angle plates 24 in. in length with four bolts. The rail is somewhat worn but is yet in fair condition for the light traffic maintained. All the connections are full bolted and bolts tight. The main track switches are split point and have automatic stands. The targets are well painted. Switch and semaphore lamps show red light for danger and green for safety. The frogs are rigid and in proper condition. Derailing switches are in all sidings where their use appears necessary; some of the stands, however, lack targets. The track is ballasted with gravel and cinders in medium to fair quantity. Considerable new ballast has been put on recently, the alignment and surfacing much improved, and they are now very good. The outer rail on curves is properly elevated for the speed at which the trains are scheduled. The track sections are 6.75 miles in length, and the force maintained on each a foreman and five laborers. Each gang is furnished with flags, lanterns, and torpedoes, and all portions of the track are patrolled daily.

No railroads, steam or electric, are crossed at grade, and no interlocking plants are maintained.

The right of way is free from trees, brush, and rubbish. Fences are of wire, in fair repair. The highway crossings are well graded, planking in good condition, and are protected by signs of the X form, suitably located and well painted. No cattle guards are maintained. One highway crossing is protected by a flagman, and the remaining 19 by crossing signs only.

The movements of trains are governed by the telegraphic train order system, and trains are spaced ten minutes apart at the telegraph stations. Mile and whistle posts are properly maintained.

The station buildings are generally small but in fair repair, and are apparently sufficient for the requirements; they are clean and neat, water for drinking is provided, and time-tables are posted in the waiting rooms, The platforms are of plank and gravel and in fair condition. Water barrels kept filled, with fire pails, are kept in all stations as protection against fire.

The lighter standard equipment of the Erie railroad is used, and all observed were in good condition.

The principal repairs and improvements noted as made since the last inspection are as follows: About 40 per cent. of the cross-ties have been renewed; 5 miles of track have been re-ballasted with cinders; additional stringers have been placed on 20 small openings; 3 cattle passes have been filled, 7 open culverts replaced with 36-in. iron pipe and filling, and 8 others had masonry rebuilt and new stringers and ties put on; 3 others have had masonry extensively repaired; 7 open culverts and cattle passes have been replaced with new concrete masonry and solid covering of metal and concrete, eliminating the openings to grade; a new turntable and water tank have been put in at Middletown; and about 0.27 miles of track added to the Middletown yard.

Recommendations: That the poor abutment to the bridge No. 80.30 be rebuilt, and that targets be put on the stands of derailing switches where now lacking.

A copy of this report was transmitted to the general manager of the company operating the railroad, who replied that the bridge was being rebuilt, and instructions issued to comply with all recommendations.

ERIE RAILROAD.

I have made an inspection of the portions of the various lines of railroad owned, leased and operated by the Erie Railroad Company in this State, commencing October 1 and extending to October 9, 1907, and respectfully submit the following report:

The property of the Erie Railroad Company in this State shows continued improvement since the last inspection, which was made in September and October, 1905, and is now in better physical condition than at the time of any of my previous inspections. The roadway has been strengthened where necessary, drainage system improved, new bridges put in replacing lighter ones, large quantities of new rail laid, extensive ballasting done, very extensive tie renewals made, and the alignment and surfacing of track generally improved. The only items connected with the maintenance that do not show improvement are fences and cattle guards. The fences are generally in poor condition; much of the right of way is unfenced, and very few cattle guards are maintained, the number having been considerably reduced since my last inspection was made.

The block signal systems have been improved and extended.

Much new equipment has been added. All locomotives and cars have automatic couplers; all the passenger cars and 96 per cent. of the freight cars have air brakes. The coaches observed were generally clean and neat, water for drinking is provided, and emergency tools are properly located in the center of the cars. Fire extinguishers are provided for passenger equipment; and the necessary flags, lanterns, and torpedoes furnished all trains. Passenger cars are heated by steam and lighted with gas, oil, and electric lamps. Locomotives of the Wooten fire-box type, where the cabs of the engineman and fireman are separated, are furnished with an emergency valve within reach of the fireman so that he may apply the air brakes if necessary, and there is also a gong signal connecting the cabs of the engineman and fireman.

Since the last inspection there have been added to the equipment, 125 consolidation locomotives; 41 of the Pacific type; 1 steam motor car; 34 suburban coaches; 1 express car; 10 express horse cars; 5 express refrigerators; 21 milk cars; 50 cabooses; 5,657 box cars; 2,875 hopper cars; 1,000 gondolas; 600 flats; 100 ballast convertible cars; 500 produce cars; and to the electrical portion of the Rochester division, 6 electric first-class coaches. There have also been added, for use in maintenance and operation, 1 steam shovel; 1 rotary snow-plow; 1 tool car; 1 steam and 1 hand derrick car; 15 locomotive cranes; 2 pile drivers, and a snow sweeper.

New York Division, Main Line.

The portion of the main line of the New York division in this State extends from the New Jersey-State line near Suffern to Sparrowbush (at west end of Port Jervis yard), a distance of 60.30 miles, all double track, and has 9.85 miles of third and 0.85 miles of fourth main track, and 117.22 miles of sidings and yard tracks. The fourth main track is located east of Suffern to the state line, the third track covering the territory; and also from Otis Summit to Guymard; the third track is also being extended from Guymard toward Port Jervis, in connection with the construction of the new low grade line now being built between Guymard on the main line and Highland Mills on the Newburgh and New York branch.

The road is considerably crooked, but most curves are light; the maximum is 6 degrees and 50 minutes, located west of Goshen. The grades are long, crossing several summits, but are fairly regular; the maximum is about 60 feet per mile, east of Otisville. The cuts are of full width and proper slopes excepting where upheld by retaining walls. The embankments are of full width. The roadway is well drained, and sub-drains are used in wet cuts generally.

The steel and iron bridges are generally in good condition and most of them well painted; No. 13, however, is rather light for the class of motive power and rolling stock now used, and it is planned to replace it in the near future. The masonry to the bridges is good, ties and guard timbers of standard dimensions and well maintained. Inside guard rails are maintained on the long and high bridges. There are no wooden bridges or trestles remaining in the roadway; the only wooden bridges are for overhead highway and farm crossings, and most of such bridges are of iron. All are in proper condition, and low ones, as well as any other overhead obstructions, are protected by warning signals, also in good condition. The open culverts and cattle passes have masonry, in good condition, and all but one have I-beam stringers; that has timber stringers, of sufficient strength and in sound condition; the ties and guard timbers are of standard dimensions and well maintained. The arch, box and iron pipe culverts are apparently in proper condition.

The cross-ties are about 96 per cent. yellow pine and 4 per cent. oak; the standard dimensions are 7 x 9 in., 8½ ft. in length, and they are laid at the rate of 2,816 to the mile of track; they are in good, sound condition, necessary renewals having been made, and are evenly spaced and full spiked. Tie-plates on this line, as well as all others of the Erie company, are very extensively used, and double spiked on all except very light curves. The entire main track, excepting the third main track from Otisville to Guymard, which is used for freight trains, is laid with 90-lb. steel rail, connected by angle plates 24 in. in length with four bolts, and 34 in. in length with six bolts. The third track referred to is laid with 74-lb. rail, connected by angle plates 40 in. in length with six bolts. The rail is all in very good condition, and renewals are being made as rapidly as necessary. All main track switches are split point, and where not connected with interlocking have stands automatic for main track. All facing switches are either protected by interlocking or electrically locked and controlled from the towers. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. In this there has been a change made since the last inspection, at which time green light for safety was used only on the Delaware division; now the entire Erie system in this State uses green for the clear signal. All main track frogs are spring rail and in good condition. Derailing switches are in all sidings where their use appears necessary; many of them are interlocked with the main track switch stand; a few that are not connected were observed where targets were lacking. About three-fourths of the main track is ballasted with broken stone in good quantity, and the remainder with gravel and cinders in fair to good quantity. The alignment and surfacing of the tracks are first class, and the outer rail on curves properly elevated for the speed at which trains are scheduled. The track sections are about 4½ miles in length, and the force employed upon each consists of a foreman and nine laborers. Each gang is furnished with flags, lanterns, and torpedoes for protecting its work. Regular track walkers are employed to patrol the road.

One track of the Wallkill Transit Company's electric railroad is crossed at grade at Middletown; there are derailing switches in the track of the electric road and proper protection over the trolley wire.

Interlocking plants governing the movements of trains in yards, branch connections, cross-overs, etc., are maintained at Suffern, Ramapo, Sterlington, West Tuxedo, Arden, Turner, Monroe, Greycourt, Chester, east of

Goshen, Goshen, west of Goshen, west of Hampton, Middletown, east of Howells, west of Howells, White Bridge, Otisville, Guymard, and Sparrowbush.

The right of way is free from trees, brush, and rubbish. The fences are of wire, board, and stone wall, much in poor condition or lacking. The highway crossings are well graded, properly planked, and protected by signs of the diamond or X form, suitably located and well painted. A very few wooden slat cattle guards are maintained, but at most highway crossings there are none. Five highway grade crossings are protected by flagmen, 10 by flagmen and gates, 14 by electric bells, and the remaining 41 by crossing signs only.

The movements of trains from Sufferen to West Tuxedo are governed by the automatic electric block system, and that system is now being extended to Middletown; from West Tuxedo to Sparrowbush the movements of trains are governed by the manual controlled block system. Mile and whistle posts are properly maintained.

The station buildings are generally in good condition and well painted. The platforms are of cement, plank and gravel. Water for drinking is provided, and time-tables can be obtained from the agents. The sanitary condition of the stations is generally good. At stations where inside closets are maintained they are all in good condition. Where water systems are maintained, sanitary plumbing has been put in; at others, disinfectants have been used freely and very little bad odor could be detected. Where outside closets are maintained and not kept locked, their condition is generally bad, and they should receive more attention. All stations have fire protection; at those where there is a water system, hydrant connections and hose are provided; at others, water barrels, fire pails, and fire extinguishers are kept ready for use. The station grounds and yards are generally in good condition. The station building at Turner is very old and much out of repair, and a new one should be erected.

Among the numerous repairs and improvements made since the last inspection the following were noted: 21.25 miles of new 90-lb. rail have been laid, replacing lighter and worn rail; 22.25 miles of track have been re-ballasted with stone, and 2 miles with gravel; 12 light bridges have been replaced with new and stronger structures, 5 have been repainted; 2 miles of new fencing have been erected, 10½ miles rebuilt, and 3½ miles extensively repaired; 3½ miles of new sidings and yard tracks have been put in; a new pump house has been erected at Turner, one at Greycourt, and one at Goshen; a new freight house at Goshen; a new engine house at Port Jervis; also a blacksmith shop, coal pockets, engine dispatcher's office, dormitory, and ice house at the same place; Southfield station has been extensively repaired, and the stations at Suffern, Hilburn, Tuxedo, Ramapo, Southfield, Arden, Greycourt, Goshen, Middletown, and Chester repainted: necessary repairs have been made to other station buildings; a new 10-in. water crane has been erected at Ramapo, and two at Port Jervis; a new water tank has been built at Goshen; new pump and engines put in at Turner and Greycourt; one highway grade crossing has been eliminated at Port Jervis; one bridge taken out and the opening filled at that place.

Recommendations: That all derailing switches not connected with interlocking have stands equipped with targets; that fences and cattle guards be maintained as required by law; that the sanitary condition of outside closets receive better attention; that time-tables be posted in all waiting rooms; and that a new station building be erected at Turner.

Newburgh Branch, and Newburgh and New York Branch.

The Newburgh branch connects with the main line of the New York division at Greycourt, and extends to Newburgh, a distance of 18.73 miles, and from Vail's Gate to Newburgh, a distance of 6.33 miles, and has second main track; there are on this branch 15.21 miles of sidings and yard tracks. The Newburgh and New York branch connects with the main line of the New York division at Newburgh Junction, and extends to Vail's Gate on the line of the Newburgh branch, a distance of 12.65 miles, single track, and has 3.18 miles of sidings and yard tracks.

The general alignment of the Newburgh branch is good and curves light; the maximum is 5 degrees, between Vail's Gate and Salisbury Mills. The general alignment of the Newburgh and New York branch is also good and curves light, the maximum being but 4 degrees, located at Highland Mills and Mountainville. The grades of the Newburgh branch are somewhat broken but generally light; the maximum is 65 ft. per mile for about 2½ miles west from Newburgh. The grades of the Newburgh and New York branch are also generally light; the maximum is about 59 ft. per mile for about half a mile between Vail's Gate Junction and Cornwall.

The cuts and embankments of both branches are of good width and natural slopes except where upheld by retaining walls, and the roadway is well drained, sub-drains being used in wet cuts.

The bridges are generally in good condition, excepting that No. 16.88 on the Newburgh branch is too light (and is to be replaced), and that several were observed on both branches which would be benefited by an additional coat of paint. The masonry is in good condition, ties and guard timbers of standard dimensions and in good repair. Inside guard rails are maintained on all long and high bridges. The only wooden bridges are for overhead highway and farm crossings, and some of these are of iron. All overhead obstructions are properly protected. There remains one pile bent trestle in the Newburgh branch near Greycourt; it is of standard construction and in good repair. There are several temporary trestles in the Newburgh and New York branch tracks where new bridges or culverts are being put in, in connection with the new low grade line which is being constructed from Guymard on the main line to Highland Mills on the Newburgh and New York branch, and which for a distance runs alongside the present Newburgh and New York branch on a different grade, necessitating renewing or extending the present structures. Several open culverts and cattle passes, to which attention was directed, have poor masonry, and in some cases the stringers are supported on bents pending renewal of masonry; most of the masonry, however, is good. The stringers are I-beams, ties and guard timbers standard and in good repair. The arch, box, and iron pipe culverts are in good condition.

The cross-ties of the Newburgh branch are about 95 per cent. yellow pine and 5 per cent. oak; of the Newburgh and New York branch, 94 per cent. yellow pine and 6 per cent. oak. The standard dimensions of cross-ties are 7 x 9 in., 8½ ft. in length, and 6 x 8 in., 8 ft. in length, both dimensions being used; they are in good condition, necessary renewals having been made, and evenly spaced and full spiked. The Newburgh branch has 18.03 miles of track laid with 74-lb., 6.50 miles with 80-lb., and 0.53 miles with 90-lb. steel rail. The 74-lb. rails are connected by angle plates 40 in. in length with six bolts, and the remaining rails by angle plates 34 in. in length with six bolts. The rail is in very good condition, all connections full bolted and bolts tight. The Newburgh and New York branch is laid entirely with 63-lb. rail, connected by angle plates 24 in. in length with four bolts. The rail is in very good condition, all connections full bolted, and no loose bolts were observed. All main track switches are split point and have stands automatic for main track; many have high targets. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. Nearly all main track frogs are spring rail and all are in proper condition. Derailing switches are in all sidings where their use appears necessary; the stands of some of them, however, lack targets. The tracks are ballasted with gravel and cinders in good quantity, and the alignment and surfacing are first class. The track sections of the Newburgh branch average 5 miles in length, and of the Newburgh and New York branch, 6 miles in length, and the force employed upon each consists of a foreman and six laborers. Each gang is furnished with flags, lanterns, and torpedoes for protecting its work, and all portions of the road are patrolled daily.

No railroads, steam or electric, are crossed at grade.

No interlocking plants are maintained excepting at the junctions with the main line.

The right of way is free from trees, brush, and rubbish; grass and weeds were being cut when the inspection was made. The fences are of wire, board, and stone wall, much out of repair and some lacking.

The highway crossings are well graded, planking in good condition, and are protected by signs of the diamond and X form, properly maintained. There are no cattle guards. On the Newburgh branch, 2 highway crossings are protected by flagmen, 1 by an electric bell, and the remaining 15 by crossing signs only. On the Newburgh and New York branch, 3 by electric bells, and the remaining 12 by crossing signs only.

The movements of trains are governed by the manual controlled block signal system. Mile and whistle posts are properly maintained.

The station buildings are generally in good condition and fairly well painted. The station on the Newburgh and New York branch at Woodbury is an old, frame building in poor condition, and should be rebuilt or repaired. Aside from that, the stations are in the same general condition as those on the main line, New York division, are similarly furnished, and the same remarks apply.

The principal repairs and improvements noted as made since the last inspection are as follows: On the Newburgh branch about 12 per cent. of the cross-ties have been renewed; 4 miles of track have been re-ballasted with cinders; one mile of fence has been rebuilt; light repairs have been made to station buildings and some repainting done; on the Newburgh and New York branch about 10 per cent. of the cross-ties have been renewed; one mile of track has been re-ballasted with cinders; 3 light iron bridges have been replaced with new steel bridges; 1 open culvert had been rebuilt, and several others are now being replaced with concrete arch and box culverts in connection with the new line being constructed, and several grade crossings are being eliminated; 1½ miles of fence have been rebuilt and 3 miles extensively repaired; necessary repairs have been made to several of the station buildings, and several repainted.

Recommendations: That necessary repairs and renewals be made to open culvert and cattle pass masonry; that the stands of derailing switches not interlocked with the main track stands be furnished with targets; that fences and cattle guards be maintained as required by law; that the station building at Woodbury, on the Newburgh and New York branch, be rebuilt or properly repaired; that the sanitary condition of the outside closets receive proper attention; and that time-tables be posted in the waiting rooms.

Montgomery Branch, Pine Island Branch, Crawford Branch.

The Montgomery branch connects with the main line at Goshen, and extends to Montgomery, 10.43 miles, single track, and has 2.60 miles of sidings and yard tracks. The Pine Island branch connects with the main line at Goshen, and extends to Pine Island, 11.64 miles, single track, and has 3.04 miles of sidings and yard tracks. The Crawford branch connects with the main line of the New York, Ontario and Western railway at Crawford Junction, and extends to Pine Bush, 10.22 miles, single track, and has 0.92 miles of sidings and yard tracks.

The Montgomery branch has frequent curves, but generally light, the maximum being 3 degrees at Neely Town; the Pine Island branch is considerably crooked in the vicinity of Goshen, the remaining portion of the line being fairly straight; the maximum curve is 5 degrees, located at Florida; the general alignment of the Crawford branch is good and most curves light, the maximum being 5 degrees, near Pine Bush. The grades of the Montgomery branch are light and fairly regular, the maximum is 40 ft. per mile for about 1¾ miles north of Goshen; the Pine Island branch has generally light grades, and for much of the distance level; the maximum is 45 ft. per mile, between Florida and Orange Farm; the grades of the Crawford branch are considerably broken but generally light, the maximum is 64 ft. per mile, for about 1,000 ft. east of Pine Bush.

The cuts and embankments of all the branches are of fair width and proper slopes. The roadway is very well drained; sub-drains are used in some of the wet cuts.

There is but one iron bridge on the Montgomery branch, a deck plate girder; also one on the Pine Island branch, a deck plate girder. On the Crawford branch there are no iron bridges. The masonry to the bridges is good, and they have standard ties and guard timbers; the ties on the bridge of the Pine Island branch are in such condition that they will require renewal soon. There are no wooden bridges excepting for overhead highway and farm crossings; they are in proper condition, and low ones are protected by warning signals. There are no timber trestles in the roadway on the Montgomery branch or the Crawford branch; on the Pine Island branch there are several small ones, constructed of pile or framed bents; they are in good condition. The masonry to open culverts and cattle passes having masonry, on all the branches, is generally poor, and in some cases the stringers are supported on timber bents on account of the poor masonry; some have abutments of timber, and a large proportion have timber stringers; some I-beams are used. The ties and guard timbers are of standard dimensions and in fair to good repair. The arch, box, and iron pipe culverts are in good condition.

The cross-ties of the Montgomery branch are about 97 per cent. yellow pine and 3 per cent. oak; of the Pine Island branch, 90 per cent. yellow pine, 7 per cent oak, and 3 per cent. chestnut; of the Crawford branch, 95 per cent. yellow pine, 3 per cent. oak, and 2 per cent. chestnut. The standard dimensions are 7 x 9 in., 8½ ft. in length, and 6 x 8 in., 8 ft. in length, both dimensions being used. They are in very good condition, necessary renewals having been made, are full spiked and fairly well spaced. The Montgomery branch has 4.81 miles of main track laid with 63-lb., 5.12 miles with 74-lb., and 0.50 miles with 90-lb. steel rail. The 63-lb. rail is somewhat worn but is as yet in fair condition; the 74-lb. rail is in very good condition, and the 90-lb. in first-class condition. The 63-lb. rails are connected by angle plates 24 in. in length with four bolts, the 74-lb. rails by angle plates 40 in. in length, and the 90-lb. rails by angle plates 34 in. in length, with six bolts. All the connections are full bolted and the bolts tight. The Pine Island branch is laid entirely with 63-lb. rail, connected by angle plates 24 in. in length with four bolts. The rail is much worn in places and considerable renewals are needed The Crawford branch has 9.71 miles laid with 63-lb. and the balance, 0.51 miles, with 74-lb. steel rail. The 63-lb. rails are connected by angle plates 24 in. in length with four bolts, and the 74-lb. rails by angle plates 40 in. in length with six bolts. The rail is generally in fair condition, although some renewals of 63-lb. rail are needed. Nearly all switches are split point; a few Wharton switches yet remain; all are in good condition. The stands to split point switches are automatic for main track; to the Wharton switches, rigid. All have proper targets. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. Nearly all main track frogs are spring rail, and all properly maintained. Derailing switches are in all sidings where their use appears necessary, and most stands have targets. The track of all the branches is ballasted with gravel and cinders; much new ballast has been put in and the condition of the ballast generally improved. The alignment and surfacing of the tracks are fair, and the outer rail on curves properly elevated for the scheduled speed of trains. The track sections of the Montgomery branch are about 7 miles in length and the force engaged upon each section consists of a foreman and five laborers; of the Pine Island branch, 7½ miles in length and the force a foreman and six laborers; of the Crawford branch, 10.22 miles in length and the force a foreman and six laborers. All portions of the track are patrolled daily by some member of the section force.

The Montgomery branch crosses two tracks of the New York, Ontario and Western railway at Campbell Hall; the crossing is protected by signals that are interlocked, and all trains are required to come to a full stop before crossing. No interlocking plants are maintained except at the junction of the Montgomery and Pine Island branches at Goshen, and of the Crawford branch with the New York, Ontario and Western railway at Crawford Junction.

There are no trees or brush remaining on the right of way of either of the branches; grass and weeds were either cut or being cut at the time the

inspection was made. The fences are of wire, board, and stone wall, considerably out of repair and much lacking.

The highway crossings are very well graded, planking properly maintained, and are protected by signs of the diamond or X form. A few places were noted, and attention directed to them, on the Crawford branch, where brush in the vicinity of highways, but outside the company's right of way, to some extent obscures the view of approaching trains, and request made that measures be taken to remove such obstructions. No cattle guards are maintained. On the Montgomery branch, 1 highway crossing is protected by a flagman, the remaining 16 by crossing signs only. The 14 highway grade crossings of the Pine Island branch, and the 15 of the Crawford branch, are protected by crossing signs only.

The movements of trains are governed by the telegraphic train order system. Mile and whistle posts are maintained.

The station buildings, while generally small, are apparently sufficient for the requirements, and are in fair condition, except that those on the Crawford branch need painting. The general conditions are similar to those on the main line, New York division; they are similarly furnished, and the same remarks apply.

The prinicpal repairs and improvements noted as made since the last inspection are as follows: 8 per cent. of the cross-ties on the Montgomery branch, 9 per cent. on the Pine Island branch, and 20 per cent. on the Crawford branch have been renewed; one mile of the Montgomery branch, 9.75 miles of the Pine Island branch, and the entire Crawford branch have been re-ballasted with cinders; four pile trestles of the Pine Island branch have been renewed, and seven open culverts of that branch replaced with iron pipe and filling; one mile of fence of the Montgomery branch and one mile of the Crawford branch have been rebuilt, and one mile of the Pine Island and one of the Crawford branch have been repaired.

Recommendations: That the masonry to open culverts and cattle passes to which attention was directed when the inspection was made be rebuilt or repaired as necessary; that quite extensive renewal of the 63-lb. rail be made on the Pine Island branch and some renewal on the Crawford branch; that targets be put on the stands of derailing switches where now lacking; that fences and cattle guards be maintained as required by law; that the sanitary condition of outside closets receive better attention; that the stations on the Crawford branch needing it be repainted; and that timetables be posted in the waiting rooms.

New Jersey and New York Division.

Most of the New Jersey and New York division is in the State of New Jersey; the portions of the various lines in this State are as follows: New Jersey and New York railroad, from the New Jersey-State line near Pearl river, to Nanuet Junction, 2.30 miles; and from Spring Valley to Haverstraw, 11.55 miles; all single track, and having approximately 4 miles of sidings and yard tracks (between Nanuet Junction and Spring Valley, a distance of about 3 miles, the trains of the New Jersey and New York railroad operate over the Piermont branch track); New City branch, from a connection with the New Jersey and New York railroad at Nanuet Junction to New City, a distance of 4.29 miles, single track, with 0.25 miles of sidings and yard tracks; Piermont branch, from Suffern on the main line to Piermont, a distance of 18 miles, single track, with 3.37 miles of sidings and yard tracks; Northern railroad of New Jersey, from the New York state line near Tappan to Nyack, a distance of 5.82 miles, and having 2.5 miles of second main track, and 1.64 miles of sidings and yard tracks.

The portion of the New Jersey and New York railroad from Spring Valley to Haverstraw is crooked; the curves are not generally sharp, although there is one in the vicinity of Haverstraw of 9 degrees. The New City branch has very good general alignment, with maximum curve of 5 degrees. The Piermont branch has light curves and many long tangents; the maximum curve is 6 degrees, at Sparkill. The Northern railroad of New Jersey, between

Sparkill and Nyack, is very crooked, with maximum curve of 6 degrees. The grades of the New Jersey and New York railroad are fairly steep and somewhat broken, the maximum being 85 ft. per mile, near Haverstraw; the grades of the New City branch are somewhat broken but generally light; there is, however, a maximum of 75 ft. per mile; the grades of the Piermont branch are long but fairly regular; the maximum is 85 ft. per mile; the grades of the Northern railroad of New Jersey are regular, and for much of the distance light; the maximum is 75 ft. per mile, near Sparkill.

The cuts of all the lines are of fair width and proper slopes excepting where slopes are upheld by retaining walls, and those retaining walls are in good condition. The embankments are of full width. The roadway is very well drained; some sub-draining has been done in wet cuts.

Bridge No. 30.97, known as Miner's Creek bridge, on the Northern railroad of New Jersey, is old and very light, and has been for several years supported on bents pending proposed renewal; aside from that the bridges on that road are in good condition, have fair to good masonry, are generally fairly well painted, have standard ties and guard timbers, in good repair, and inside guard rails on long and high ones. There is but one small iron bridge on the New City branch; it has good masonry, standard ties and guard timbers, and is in good condition. There are no large bridges on the Piermont branch; those there are in very fair condition, have good masonry, and standard ties and guard timbers properly maintained. On the Northern railroad of New Jersey the bridges are in good condition, have proper masonry, standard ties and guard timbers well maintained, and inside guard rails on all but the small ones. The only wooden bridges are for overhead highway and farm crossings; they are properly maintained, and all low ones are protected by warning signals. On the New Jersey and New York railroad there is one short piece of pile trestle at the end of an iron bridge; it is of standard construction and in good condition. There are no trestle structures on the New City branch or the Northern railroad of New Jersey; on the Piermont branch there are several quite extensive ones; they are of pile or framed bent construction, and have been extensively repaired since the last inspection. The ties and guard timbers of all are standard, and with the exception of No. 8.52 of the Piermont branch, in good condition; that one needs new ties, which I am advised are arranged for. The last remaining open cattle pass on the New Jersey and New York railroad was being covered with metal and concrete when the inspection was being made, all the other open culverts and cattle passes having been previously treated in similar manner. There are none on the New City branch; on the Piermont branch there yet remain a few, some constructed entirely of timber, the remainder having masonry and I-beam stringers. All are in good condition, and have standard ties and guard timbers well maintained. All those of the Northern railroad of New Jersey have good masonry, I-beam stringers, standard ties and guard timbers in good condition. The arch, box, and iron pipe culverts are apparently in good condition.

The cross-ties of the New Jersey and New York railroad are 80 per cent. yellow pine, 10 per cent. oak, and 10 per cent. chestnut; of the New City branch, 95 per cent. yellow pine and 5 per cent. chestnut; of the Piermont branch, 90 per cent. yellow pine, 5 per cent. oak, and 5 per cent. chestnut; of the Northern railroad of New Jersey, 90 per cent. yellow pine and 10 per cent. oak. The standard dimensions are 7 x 9 in., 8½ ft. in length, and 6 x 8 in., 8ft. in length, both dimensions being used, and they are laid at the rate of 2,816 to the mile of track. They are in very good condition, necessary renewals having been made, and are fairly well spaced and full spiked. The Northern railroad of New Jersey has 8.60 miles laid with 60-lb., 2.50 miles with 74-lb., and the remainder, 2.75 miles, with 71-lb. steel rail. The 60 and also the 71-lb. rails are connected by angle plates 24 in. in length with four bolts, the 74-lb. by angle plates 40 in. in length with six bolts. The 60-lb. rail is in fair condition, the 71 and 74-lb. in good condition. All the connections are full bolted, and no loose bolts were observed. The New City branch is laid entirely with second-use 74-lb. rail, all of which has been

put in during the past season, replacing lighter, worn rail; the rails are connected by angle plates 40 in. in length with six bolts. The rail is in very good condition, all the connections full bolted and all bolts tight. The Piermont branch has 16 miles laid with 80-lb., and the remaining two miles with 74-lb. steel rail. The 80-lb. rails are connected by angle plates 24 in. in length with four bolts and 36 in. in length with six bolts, the 74-lb. rails by angle plates 40 in. in length with six bolts. The rail is in very fair condition, most of the 80-lb. rail having been put in recently. All the connections are full bolted and bolts tight. The Northern railroad of New Jersey is laid entirely with 80-lb. steel rail, connected by angle plates 24 in. in length with four bolts and 34 in. in length with six bolts. The rail is in good condition, and no loose bolts were observed. All main track switches are split point and switch stands automatic for main track. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. Nearly all main track frogs are spring rail and are properly maintained. Derailing switches are in all sidings connecting with the main track on which cars are left standing, where the grade descends toward the main track; many of the stands, however, lack targets. The New Jersey and New York railroad is ballasted with gravel and cinders in fair quantity, and much of it new. The New City branch has been entirely re-ballasted with cinders in good quantity. The Piermont branch has also been nearly all recently re-ballasted with cinders in fair to good quantity. The Northern railroad of New Jersey is ballasted with broken stone and gravel in good quantity. The alignment and surfacing of all the lines are good, and the outer rail on curves properly elevated. The track sections of the New Jersey and New York railroad are about 6 miles in length, and the force employed upon each section consists of a foreman and five laborers; of the New City branch, 4.29 miles in length, and the force a foreman and six laborers; of the Piermont branch, 6 miles in length, and the force employed a foreman and five laborers; of the Northern railroad of New Jersey, 5½ miles in length, and the force a foreman and seven laborers. Each section gang is furnished with flags, lanterns, and torpedoes for protecting its work, and all portions of the track are patrolled daily.

The single track of the Piermont branch and that of the New City branch cross at grade at Nanuet; the crossing is protected by a target signal, and all trains are required to come to a full stop before crossing. The single track of the Piermont branch and that of the Northern railroad of New Jersey cross at grade at Sparkill; the crossing is protected by a target signal, and all trains are required to come to a full stop before crossing. The only interlocking plant maintained is at the junction of the Piermont branch with the main line at Suffern.

The right of way of all the lines is free from trees, brush, and rubbish; grass and weeds were being cut at the time the inspection was made. The fences are generally of wire, in poor condition, and much lacking.

The highway crossings are well graded, properly planked, and are protected by signs of the diamond or X form. No cattle guards are maintained. Two highway crossings of the New Jersey and New York railroad are protected by flagmen, 3 by electric bells, and the remaining 23 by crossing signs only. The 10 highway crossings of the New City branch are protected by crossing signs only; 2 crossings of the Piermont branch by flagmen, 3 by flagmen and gates, 2 by electric bells, and the remaining 18 by crossing signs only; one of the Northern railroad of New Jersey by a flagman, 4 by flagmen and gates, 3 by electric bells, and the remaining 8 by crossing signs only.

The movements of trains on the New Jersey and New York railroad and the Northern railroad of New Jersey are governed by the manual controlled block system; on the New City branch and the Piermont branch by the telegraphic train order system. Mile posts are maintained on the portion of the New Jersey and New York railroad south of Nanuet, and on all portions of the other lines. The whistle posts on all the lines are properly located.

The station buildings are in very good condition; while many of them are small, they are apparently sufficient for the requirements; their general condition is the same, and they are similarly furnished to those on the main line, New York division, and the same remarks apply.

Since the last inspection about 20 per cent. of the cross-ties of the New Jersey and New York railroad, 40 per cent. of the New City branch, 17 per cent. of the Piermont branch, and 22 per cent. of the Northern railroad of New Jersey have been renewed; 2.75 miles of second-use 80-lb. rail laid on the New Jersey and New York railroad, replacing worn 60-lb. rail; the entire New City branch laid with second-use 74-lb. rail, replacing worn 60-lb. rail; 16 miles of second-use 80-lb. rail laid on the Piermont branch, replacing worn 63-lb. rail; nearly the entire New Jersey and New York railroad, New City branch, and Piermont branch have been re-ballasted with cinders; about ⅓ of a mile of fence has been rebuilt on the Northern railroad of New Jersey; about ⅓ of a mile of new siding put in on that line, and ½ mile on the New Jersey and New York; the Pearl river station on the Northern railroad of New Jersey has been remodeled, extensively repaired, and repainted; also the one at Spring Valley on the Piermont branch; and a new and model station constructed at Nanuet Junction; lighter repairs have been made to other station buildings, and several have been repainted.

Recommendations: That bridge 30.97 on the New Jersey and New York railroad be replaced, the bridge being too light and now on bents, and high water liable to remove the bents; that the ties on trestle No. 8.52 of the Piermont branch be renewed; that targets be put on the stands of all derailing switches where now lacking; that fences and cattle guards be maintained as required by law; that the sanitary condition of the outside closets receive better attention; and that time-tables be posted in all waiting rooms.

Delaware Division.

The portions of the Delaware division in this State are from Sparrowbush to Mill Rift bridge, and from bridge 9, east of Narrowsburg, to Comstock; the remaining portions of the division, from Mill Rift bridge to bridge 9, and from Comstock to Susquehanna, are in the State of Pennsylvania. The length of the road in this State is 69.68 miles, all double track, and it has about 14.66 miles of sidings and yard tracks.

The road is very crooked, following as it does along the banks of the Delaware river, with steep hills adjoining; the maximum curves are about 6 degrees. The grades are long but fairly regular, the maximum being 70 ft. per mile, east of Gulf Summit.

There are many cuts with slopes upheld by retaining walls, and retaining and slope walls are also used to protect embankments from the river; aside from those places, the cuts and embankments are of full width and natural slopes. The roadway is well drained, sub-drains being used in wet cuts. Four permanent watchmen are employed to guard places where danger may be anticipated from material being washed down or falling from the steep hillsides, close under which the road is constructed.

Bridges Nos. 16¼, 16½, and 17 are light, and 17 is supported by bents. Arrangements are made for replacing these bridges this season. Aside from that, the steel and iron bridges are in good condition and generally well painted, have good masonry, standard ties and guard timbers well maintained, and inside guard rails are laid on all long and high ones. There are no wooden bridges or timber trestles in the roadway; the only wooden bridges are for overhead highway and farm crossings, and in most cases such bridges are of iron. They are in proper condition, and all low ones, as well as other overhead obstructions, are protected by warning signals properly maintained. The open culverts and cattle passes have good masonry, I-beam stringers, standard ties and guard timbers in good repair. The arch, box, and iron pipe culverts are apparently all in good condition.

The standard cross-ties are 7 x 9 in., 8 ft. and 8½ ft. in length, and are laid at the rate of 2,816 to the mile of track; about 90 per cent. of them are yellow pine and 10 per cent. oak; they are evenly spaced and full spiked.

Tie-plates are used on all except very light curves, and double spiked on the outer side. Of the main track, 133.74 miles are laid with 90-lb., 0.28 miles with 80-lb., and the remainder, 3.34 miles, with 74-lb. steel rail. A portion of the 90-lb. rails and also the 80-lb. are connected by angle plates 24 in. in length with four bolts, and the remainder by angle plates 30 in. in length with six bolts. The 74-lb. rails are connected by angle plates 40 in. in length with six bolts. The 90-lb. and the 80-lb. rail are in good condition; the 74-lb. rail is somewhat worn but is in fair condition as yet. All the angle plates are full bolted and bolts tight. The main track switches are split point, and where not connected with interlocking have stands automatic for main track. All facing and also outlying switches, where not connected by interlocking, are protected by electric locking or distant signals. The main track frogs are spring rail and in good condition. Derailing switches are in all sidings connecting with the main track on which cars are left standing, where the grade descends toward the main track; most of them are connected by interlocking with the main track switch stands; a few were observed not so connected where the stands lack targets. The tracks are ballasted mainly with gravel; a little broken stone is used; the ballast is in very good quantity generally. The alignment and surfacing of track are first class, and the outer rail on curves properly elevated for the speed at which the trains are scheduled. The track sections are about 4½ miles in length, and the force employed upon each consists of a foreman and seven laborers. Each gang is furnished with flags, lanterns, and torpedoes, and all portions of the road are patrolled daily.

No railroads, steam or electric, are crossed at grade. Interlocking plants, governing the movements of trains at yards, cross-overs, etc., are located at Trusten, Callicoon, Long Eddy, Lordville, Hancock, east of Deposit, west of Deposit, and Gulf Summit.

The right of way is free from trees, brush, and rubbish; grass and weeds have been cut and removed. The fences are of wire, board, and stone wall, somewhat improved since the last inspection, but much is still poor and lacking. The highway crossings, while, owing to the nature of the country, they have steep approaches, are very well graded, properly planked, and are protected by signs of the diamond or X form, suitably located and well painted. Some wooden slat cattle guards are maintained, but in most cases cattle guards are lacking. Five highway crossings are protected by electric bells, and the remaining 27 by crossing signs only. Mile posts are maintained, and the whistle posts are at the prescribed distance from the highway crossings.

The movements of trains are governed by the manual controlled block signal system.

The station buildings are in good condition, clean and neat, and similarly furnished to those on the main line, New York division, and the same remarks apply.

The following repairs and improvements made since the last inspection were noted: About 11 per cent. of the cross-ties have been renewed; 44.07 miles of new 90-lb. steel rail laid, replacing worn 80 and 74-lb. rail; 8.04 miles of track have been re-ballasted with gravel, and 0.83 miles with broken stone; one light iron bridge has been replaced with a modern steel bridge, and the masonry rebuilt or repaired; 14 station buildings have been repaired and improved, and 11 repainted; 14 iron bridges have also been repainted; 6 miles of new woven wire fence have been erected and repairs made to other fences; a new water crane has been erected at Deposit, the stock yards at that place remodeled: and the lighting of the station and station platforms at Callicoon and Deposit improved.

Recommendations: That targets be put on the stands of derailing switches where now lacking; that the fences and cattle guards be maintained as required by law; that the sanitary condition of outside closets receive better attention; and that time-tables be posted in all waiting rooms.

Susquehanna Division.

The portions of the Susquehanna division in this State consist of that part of the main line of the Erie road from the Pennsylvania-State line near Great Bend to the west end of Hornell yard, 130.12 miles, all double track, with 135.30 miles of sidings and yard tracks; and the Tioga branch, from the Pennsylvania-State line near Seeley Creek to a connection with the Northern Central railway at State Line Junction, a distance of 6.51 miles, single track, with 2.06 miles of sidings and yard tracks.

The general alignment of the main line is first class, curves infrequent and generally light except on the portion from Corning to Hornell, where they are more frequent; the maximum is 6 degrees and 51 minutes, at west end of Corning yard. The Tioga branch is considerably crooked, with maximum curve of 7 degrees, located near Pine City. The grades of the main line are very light and for the greater portion of its length practically level; the maximum is 23 ft. per mile for about 500 ft., at west end of Corning yard. The grades of the Tioga branch in this State are generally light; the maximum is 63.3 ft. per mile, near the state line.

The cuts and embankments of the main line are of full width and proper slopes excepting where slopes are upheld by retaining walls, which are well maintained, and the roadway is very well drained. Sub-drains are used in wet cuts. The cuts and embankments of the Tioga branch are of fair width and proper slopes, and the ditches in fair condition.

Steel and iron bridges of the main line Nos. 11, 17, and 35 are evidently rather light for the class of motive power and rolling stock being used, and in my opinion should be replaced. Aside from these, the bridges are in first-class condition and generally well painted; the masonry is good, and they have standard ties and guard timbers in sound condition. Inside guard rails are maintained on the long structures. There is but one iron bridge on the Tioga branch; it is a through plate girder on timber abutments which are in sound condition; it has standard ties and guard timbers in good repair, and inside guard rails. The only wooden bridges of the main line are for overhead highway and farm crossings, and in the majority of cases such bridges are of iron; they are all in proper condition, and low ones are protected by warning signals. On the Tioga branch there is one Howe truss bridge in the roadway; it is of sufficient strength for the class of motive power and rolling stock used, and in sound condition; ties and guard timbers standard and in good condition, and inside guard rails maintained. Aside from that, there are no wooden bridges. Overhead obstructions are properly protected. There are no trestles remaining in the roadway of the main line. On the Tioga branch there are several of pile bents, standard construction, and in sound condition. All open culverts and cattle passes of the main line have good masonry, I-beam stringers, standard ties and guard timbers, properly maintained; on the Tioga branch most open culverts and cattle passes are constructed entirely of wood; two have a fair class of masonry, and I-beam stringers; all have standard ties and guard timbers, and all are in safe condition. The arch, box, and iron pipe culverts of the main line are in good condition; on the Tioga branch there are no arch culverts, and a few timber box culverts are used; they are as yet in sound condition. The stone box culverts and iron pipe drains are in proper condition.

The cross-ties of the main line are about 85 per cent. yellow pine and the balance oak; the dimensions are 7 x 9 in., 8½ ft. in length, and they are laid at the rate of 2,816 to the mile of track; they are well spaced and full spiked and in good condition, necessary renewals having been made. Tie-plates are extensively used on curves, and many elsewhere; and on curves are double spiked on the outer side. The cross-ties of the Tioga branch are about 70 per cent. yellow pine and the balance oak; the standard dimensions are 6 x 8 in., 8 ft. in length, and they are laid at the rate of 2,816 to the mile of track; they are in good condition, fairly well spaced and full spiked. Of the track of the main line, 246.72 miles are laid with 90-lb., and the remainder, 13.51 miles, with 80-lb steel rail. The 80-lb. rails and a portion of the 90-lb. are connected by angle plates 30 in. in length with six bolts, and

the remainder of the 90-lb. rails by angle plates 24 in. in length with four bolts. The 90-lb. rail is in good condition; the 80-lb. rail is somewhat worn and renewals are being made. The connections are full bolted and bolts tight. The Tioga branch track is laid entirely with 63-lb. steel rail, connected by angle plates 24 in. in length with four bolts. The rail is considerably worn, but is not yet in bad condition; all connections are full bolted, and but few loose bolts were observed. All main track switches are split point; those of the main line have stands automatic for main track; some rigid stands are used on the Tioga branch; all have proper targets. Many switches of the main line are interlocked and operated from the block towers. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. All main track frogs of the main line are spring rail; of the Tioga branch, rigid; all are in proper condition. Derailing switches are in all sidings where their use appears necessary, and many of them are interlocked with the main track stands. Some of those not interlocked have stands on which there are no targets. The main line tracks are ballasted with gravel and cinders in fair to good quantity; the Tioga branch tracks are lightly ballasted with gravel and cinders. The alignment and surfacing of the main line tracks are first class; of the Tioga branch, fair; the outer rail on curves is properly elevated for the scheduled speed of the trains. The track sections of the main line are about 5 miles in length, and the force employed on each consists of a foreman and from six to ten laborers; of the Tioga branch, 6 miles in length, and the force maintained, a foreman and three laborers. All gangs are furnished with flags, lanterns, and torpedoes, and all portions of the road are patrolled daily.

Two branch tracks of the Delaware, Lackawanna and Western railroad connecting its Syracuse and Utica lines with its main track, at Binghamton, are crossed at grade; each of the crossings is protected by a modern and complete interlocking plant. One track of the Cayuga branch of the Delaware, Lackawanna and Western railroad is crossed at grade at Owego; the crossing is protected by a modern and complete interlocking plant. Two tracks of the Pennsylvania division of the New York Central and Hudson River railroad are crossed at grade at Corning; the crossing is protected by a modern and complete interlocking plant. Two tracks of the Elmira Water, Light and Railroad Company's railroad (electric) are crossed at grade on Water street, Elmira; there are no derailing switches in the track of the electric road, but there is proper protection over the trolley wire. One track of the same railroad is crossed at grade on Fourteenth street, Elmira; there are no derails in the track of the electric road, and the copper trough over the trolley wire is too short and should be lengthened. One track of the Hornellsville and Canisteo railway (electric) is crossed at grade on Johnson street, Hornell; this is a temporary crossing, for use during the time that the undergrade crossing is being made on Canisteo street; there are no derails in the track of the electric road nor protection over the trolley wire.

Interlocking plants are maintained on the main line east of Kirkwood; west of Kirkwood; east of Binghamton; at each of the D., L. & W. crossings at Binghamton; at Endicott; between Union and Campville; east of Owego; at the crossing of the D., L. & W. at Owego; west of Tioga Center; east of Barton; at Barton Gravel Pit; Chemung; east of Elmira; at Northern Central connection, Elmira; at Fifth street, Elmira; west of Elmira; connection with the Northern Central railway near Horseheads; west of Horseheads; east of Corning; at crossing of the Pennsylvania division, New York Central, at Corning; connection with the Rochester division at Painted Post; Erwin; at Addison; at Cameron; Adrian; Canisteo; and Hornell. No interlocking plants are maintained on the Tioga branch.

The right of way is free from trees, brush, and rubbish; grass and weeds have been cut and removed. The fences of the main line are of wire, board, and stone wall, considerably out of repair, and some lacking; of the Tioga branch, the fences are of wire and board, some lacking and some in poor repair. The highway crossings are very well graded, planking in good condition, and are protected by signs of the diamond or X form, suitably

located and well painted. A few wooden slat cattle guards are maintained on the main line, but at most crossings there are none, and none are maintained on the Tioga branch. Ten highway crossings of the main line are protected by flagmen, 41 by flagmen and gates, 7 by electric bells, and the remaining 93 by crossing signs only. The three highway crossings of the Tioga branch are protected by crossing signs only.

The movements of trains of the main line are governed by the manual controlled block signal system; on the Tioga branch by the telegraphic train order system. Mile and whistle posts are properly maintained.

The station buildings are generally well maintained, and considerable improvement has been made in them since the last inspection; they are similarly furnished to those on the main line, New York division, and the same remarks apply.

The principal repairs and improvements noted as made since the last inspection are as follows: About 17 per cent. of the cross-ties of the main line, and 14 per cent. of the Tioga branch, have been renewed: 66.54 miles of new 90-lb. rail have been laid in main line track, replacing worn, lighter rail; 19 bridges on the main line have been replaced with new steel bridges; necessary repairs and renewals have been made to the masonry of the bridges renewed, also to various open culverts and cattle passes; one arch culvert of the main line has been replaced; quite extensive repairs have been made to station buildings at Great Bend, Owego, Binghamton, Waverly, Elmira, Corning, and Hornell, and lighter repairs to other station buildings; also to creameries at Hooper, Tioga Center, Barton, and Big Flats, to engine houses at Elmira and Hornell, and to ice houses and shop buildings at Hornell; the following new buildings have been constructed: at Hornell, a 21-stall roundhouse, erecting shop, and boiler shop; at Binghamton, a signal tower and interlocking plant; at Southport, block tower and pump house; extensive repainting of stations and other buildings has been done, and 17 iron bridges have also been repainted; on the main line, 17.81 miles of fence have been extensively repaired, and about 0.67 of a mile constructed; about one mile of fence on the Tioga branch has been repaired; new passing tracks have been constructed at Southport, equalling about 0.83 of a mile; and about 0.5 of a mile added to yard tracks at Southport and Hornell; a new water station has been installed at Southport; also new coaling crane and coaling plant at that place.

Recommendations: That bridges Nos. 11, 17, and 35 of the main line be replaced with stronger structures; that loose track bolts of the Tioga branch be tightened; that the stands of derailing switches be furnished with targets where now lacking; that fences and cattle guards be maintained as required by law; and that the sanitary condition of outside closets receive better attention.

Buffalo Division, Main Line.

The main line of the Buffalo division extends from Hornell to Buffalo, a distance of 92.16 miles, all double track, and has 118.87 miles of sidings and yard tracks.

The easterly end of the division is rather crooked; on the westerly end the general alignment is first class. Curves are generally light; the maximum is 7 degrees, east of Castile. The grades are somewhat broken, but mostly light and fairly regular; the maximum is about 50 ft. per mile, for one mile between Attica and Linden.

The roadway is well graded and properly drained. Sub-drains are extensively used in wet cuts.

The steel and iron bridges are generally in good condition and well painted. Nos. 7 and 8 are too light for the class of motive power and rolling stock being used, and are now on bents. At this place the channel of the stream is being changed, and both bridges will be eliminated. This work is well along and will be completed in a short time. The bridges have good masonry, standard ties and guard timbers in good condition, and inside guard rails are maintained on the long and high ones. There are no wooden bridges excepting for overhead highway and farm crossings, and iron bridges are generally used for such crossings; all are in good condition, and all low ones, as well as other

overhead obstructions, are protected by warning signals properly maintained. There are no trestles in the main track roadway excepting one where a bridge is being renewed, and it is in proper condition. All open culverts and cattle passes have good masonry, I-beam stringers, standard floors and guard timbers in sound condition. The arch and box culverts and iron pipe drains are apparently all in good condition.

The standard dimensions of cross-ties are 7 x 9 in., 8½ ft. in length, and they are laid at the rate of 2,816 to the mile of track; about 70 per cent. of them are yellow pine and the remainder oak; the general condition is good, necessary renewals having been made; they are full spiked and evenly spaced. Tie-plates are used on curves, and many elsewhere; and where used on curves the rail is double spiked on the outside. Of main track, 128.58 miles are laid with 80-lb., and the remainder, 55.61 miles, with 90-lb. steel rail. The 80-lb. rails are connected by angle plates 30 in. in length with six bolts and 24 in. in length with four bolts; the 90-lb. rails by angle plates 24 in. in length with four bolts. The 90-lb. rail is in first-class condition; the 80-lb. rail in fair condition. A considerable portion of it is now being renewed. All the connections are full bolted and bolts tight. All main track switches are split point, with stands automatic for main track. All facing switches not interlocked are protected by distant signals. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. The main track frogs are spring rail and in good condition. Derailing switches are in all sidings where there is apparently need for them; some of the stands, however, lack targets. The tracks are ballasted with gravel and cinders, generally in good quantity. Quite extensive renewals of ballast have been recently made. The alignment and surfacing of track are first class, and the outer rail on curves properly elevated for the scheduled speed of the trains. The average length of the track sections is about 5 miles, and the force maintained on each a foreman and six laborers. Each gang is furnished with flags, lanterns, and torpedoes for protection, and all portions of the track are patrolled daily.

One track belonging to the Erie railroad leading to the stock yards at East Buffalo is crossed at grade at East Buffalo; the crossing is protected by semaphore signals which are interlocked. One track of the Buffalo division of the Pennsylvania railroad, one track of the Buffalo Creek railroad, and another track of the Pennsylvania railroad, from 150 to 200 feet apart, are crossed at grade at East Buffalo; the crossing is protected by signals located on a tower about midway between the crossings, and all trains are required to come to a full stop before crossing. This is a dangerous crossing, owing to the number of trains of the various roads using it, approximately 400 trains per day passing over it. I think this crossing should have better protection. An interlocking plant might to some extent interfere with the operation, as there are numerous sidings and yard tracks in the immediate vicinity, but the fact that trains could run at greater speed when signals were in their favor would partly recompense for this, and in my opinion an interlocking plant should be installed. The former Board of Railroad Commissioners had this matter under consideration, but no conclusion regarding it was reached. Two tracks connecting the Lake Shore and Michigan Southern and the New York Central are crossed at grade in Buffalo; the crossing is protected by a tilting board signal, and all trains are required to come to a full stop before crossing. This crossing should also be protected by an interlocking plant. The four main tracks of the New York Central and Hudson River railroad are crossed at grade at Buffalo; the crossing is protected by a modern and complete interlocking plant. One track of the International railway (electric) crosses at grade at Lancaster; there are derails in the track of the electric road, but they are kept closed; there is a copper trough over the trolley wire. One track of the same railway crosses at grade on Union street, Cheektowaga; there are derails in the track of the electric road and proper protection over the trolley wire.

Interlocking plants are maintained at Canaseraga, Portage, East Buffalo; Seneca street, Buffalo; Buffalo station yard; and at Chicago street, Buffalo; these plants govern yard approaches, cross-overs, junctions, etc. These are in addition to the ones mentioned above as protecting grade crossings of other railroads.

The right of way is free from trees, brush, and rubbish; grass and weeds have been cut and removed. The fences are of wire, generally in fair condition, although there is a little lacking and some is out of repair. The highway crossings are excellently graded, planking properly maintained, and are protected by signs of the diamond or X form, suitably located and well painted. Cattle guards are not maintained. Eighteen highway crossings are protected by flagmen, 3 by flagmen and gates, 10 by electric bells, and the remaining 83 by crossing signs only.

The movements of trains are governed by the manual controlled block signal system. Mile and whistle posts are properly maintained.

The station buildings are generally in good condition, and are furnished similarly to those on the main line, New York division, and the same remarks apply, except that both inside and outside closets are in good sanitary condition.

Since the last inspection about 17 per cent. of the cross-ties have been renewed; 28.95 miles of new 90-lb. rail laid, replacing worn 80-lb. rail; 57.70 miles of track have been re-ballasted with gravel; 2 spans of light pin connected bridge have been replaced with plate girder bridges; 12 open culverts and cattle passes of the main line have been replaced with castiron pipe and filling; 18 arch and stone box culverts have been repaired; repairs have been made to the masonry of the Portage viaduct, bridge No. 8, and to 9 open culverts and cattle passes; the ice house at Buffalo has been extended; the Ganson street freight house, Buffalo, rebuilt; quite extensive repairs have been made to the Dodge coal storage plant at Buffalo, the Buffalo passenger station, the East Buffalo freight office, the freight houses at Louisiana street, at Howard street, and Ohio street, Buffalo; the East Buffalo machine shop, roundhouse and tank; to the station buildings at Depew, Lancaster, Town Line, Marilla, Alden, Darien, Griswold's, Attica, Linden, Dale, Warsaw, Rock Glen, Silver Springs, Castile, Portage, Dalton, Swain's, and Barnes; also to grain elevator and coal dock at Buffalo; the following buildings, etc., have been repainted: Erie elevator, Buffalo; Buffalo passenger station, inside and out; Canaseraga tower and pumping station; Canaseraga and Barnes stations; and Portage and Castile water tanks; 15 iron bridges have also been repainted; 3.25 miles of new right of way fence have been built, and 0.59 miles of snow fence; 20 miles of right of way fence repaired, and 11 miles of snow fence; the tracks at East Buffalo machine shop have been rearranged; yard tracks at Robbins' coal storage plant remodeled and enlarged; 4,165 ft. of new track laid on the Farmers' Point property, Buffalo; and four additional tracks laid at the transfer house, East Buffalo; in addition to this, remodeling of and smaller extensions have been made to tracks in various yards over the division.

Recommendations: That targets be put on the stands of derailing switches where now lacking; that the grade crossings of the Pennsylvania and of the Buffalo Creek railroads at East Buffalo be protected by a proper interlocking plant, and also the crossing of the tracks connecting the Lake Shore and Michigan Southern and the New York Central and Hudson River railroads; and that fences and cattle guards be maintained as required by law.

Niagara Falls Branch, Erie International Branch, and Erie and Black Rock Branch.

The Niagara Falls branch extends from a connection with the main line of the Buffalo division at East Buffalo to Suspension Bridge, a distance of 23.46 miles; and from East Buffalo to the connection of the Erie International branch, a distance of 6.31 miles, and has second main track; there are on this branch 23.46 miles of sidings and yard tracks. The Erie International and Black Rock branches extend from a connection with the Niagara Falls branch at International Junction to Black Rock; the length of the Erie International branch is 4.50 miles, and of the Erie and Black Rock branch 1.14 miles; and on the two branches combined there are 8.97 miles of sidings and yard tracks.

The general alignment of both lines is good and most curves light; the maximum curve of the Niagara Falls branch is 8 degrees, located west of Falls junction; of the International and Black Rock branches, 12 degrees,

at Tonawanda street, Buffalo. The grades are generally light; the maximum of the Niagara Falls branch is 47.50 ft. per mile, at about Main street, Buffalo; of the other branches, 34 ft. per mile, at Military Road, Buffalo.

The cuts and embankments are all of proper width and slopes, and the roadway is well drained.

Bridge 12.39, over Ellicott creek, Tonawanda, has abutments of timber which are getting considerably decayed and should be renewed or replaced. Bridge 4.05, over the West Shore railroad in Buffalo, is rather light for the class of motive power and rolling stock used, and should be replaced. The same is true of bridge 19.23, at LaSalle. Aside from these, the steel and iron bridges are in good condition, generally well painted, and all except the one at Tonawanda have good masonry abutments; the ties and guard timbers are of standard dimensions and in sound condition; inside guard rails are maintained on long structures. The steel and iron bridges of the Erie International and the Erie and Black Rock branches are in good condition, have masonry abutments, standard ties and guard timbers in good repair. Inside guard rails are not maintained. There are no wooden bridges except those used for overhead highway crossings; they are in proper condition, and all low ones are protected by warning signals. In the roadway of the Niagara Falls branch there are several trestles of pile or framed bents, all of standard construction and in good condition throughout. There is one framed bent trestle on the Erie and Black Rock branch consisting of 28 spans: it is also of standard and iron pipe drains are apparently all in good condition.

The standard cross-ties are 6 x 8 in., 8 and 8½ ft. in length, and laid at the rate of 2,816 to the mile of track; they are about 70 per cent. yellow pine and 30 per cent. oak; they are evenly spaced, full spiked, and in good, sound condition. Tie-plates are used on the curves, double spiked on the outer side. The Niagara Falls branch has 29.20 miles laid with 80-lb., 0.94 miles with 74-lb., and 0.21 miles with 63-lb. steel rail. The 63-lb. and a portion of the 80-lb. rails are connected by angle plates 24 in. in length with four bolts; the remaining portion of the 80-lb. by angle plates 30 in. in length, and the 74-lb. by angle plates 40 in. in length, with six bolts. The 63-lb. rail is considerably worn; the other rail is in very good condition. All connections are full bolted and bolts tight. The Erie International and Erie and Black Rock branches have 9.25 miles of track laid with 74-lb. and the remainder, 0.89 miles with 63-lb. steel rail. The 63 and a portion of the 74-lb. rails are connected by angle plates 24 in. in length with four bolts, and the remainder of the 74-lb. rails by angle plates 40 in. in length with six bolts. The rail is in fair condition for the purposes for which the branches are used. All the connections are full bolted and bolts tight. All main track switches are split point and have stands automatic for main track. Many of the stands of the Niagara Falls branch have high targets. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. All frogs of the Niagara Falls branch are spring rail; some rigid frogs are used on the Erie International and the Erie and Black Rock branches. All are in proper condition. Derailing switches are in all sidings where their use appears necessary; some of the stands, however, lack targets. The Niagara Falls branch is well ballasted with gravel, slag, and cinders; the Erie International and the Erie and Black Rock branches lightly ballasted with gravel and cinders. The alignment and surfacing of track are good, and the outer rail on curves properly elevated. The average length of track sections is about 5 miles, and the force employed upon each consists of a foreman and six laborers. Each gang is furnished with flags, lanterns, and torpedoes, and all portions of the track are patrolled daily.

One track of the Canandaigua branch of the New York Central and Hudson River railroad, and also a switching track belonging to that company, are crossed at grade near Tonawanda; the crossings are protected by a modern

and complete interlocking plant. Two tracks of the Lockport branch of the New York Central and Hudson River railroad are crossed at grade at North Tonawanda; the crossing is protected by a modern and complete interlocking plant. Two tracks of the Niagara Falls branch, one of the Lewiston branch of the New York Central and Hudson River railroad, and one track connecting the Michigan Central railroad with the Rome, Watertown and Ogdensburg yard at Suspension Bridge; these crossings are protected by a modern and complete interlocking plant. Tracks of the International railway (electric) cross the Niagara Falls branch at grade as follows: Two tracks on William street, Buffalo: there are no derails in the tracks of the electric road, but a proper protection over the trolley wire; two tracks on Walden street, Buffalo: there are no derails in the tracks of the electric road, but proper protection over the trolley wire; two tracks on Genesee street, Buffalo: there are derails in the tracks of the electric road and proper protection over the trolley wire; two tracks on East Ferry street, Buffalo: there are derails in the tracks of the electric road and proper protection over the trolley wire; two tracks on Kensington avenue, Buffalo: there are derails in the tracks of the electric road and proper protection over the trolley wire; two tracks on Main street, Buffalo: there are no derails in the tracks of the electric road, but a proper protection over the trolley wire; one track on Goundry street, North Tonawanda: there are derails in the track of the electric road, but they are closed: there is proper protection over the trolley wire; one track on Sugar street, Echota: there are no derails in the track of the electric road, nor protection over the trolley wire; one track on Ontario avenue, Suspension Bridge: there are no derails in the track of the electric road, but a proper protection over the trolley wire. Two tracks of the same railroad cross the Erie International branch on Military Road, North Buffalo; the crossing is protected by an interlocking plant. Two tracks of the Niagara Falls branch of the New York Central and Hudson River railroad, and two tracks connecting that branch with the Buffalo Belt line, cross at grade at North Buffalo; the crossings are protected by a proper interlocking plant. Two tracks of the Delaware, Lackawanna and Western railroad cross the Erie and Black Rock branch at Black Rock; this crossing is in the yard, where movements are subject to yard rules, and aside from that the crossing is not protected; all trains come to a full stop before crossing. Two tracks of the International railway (electric) cross that branch on Hertel avenue, North Buffalo; there are derails in the track of the electric road, but they are closed; there is proper protection over the trolley wire. Two tracks of the same railroad cross that branch on Tonawanda street, North Buffalo; there are no derails in the track of the electric road, but proper protection over the trolley wire.

Interlocking plants are maintained on the Niagara Falls branch at the junction with the main line East Buffalo, and at International Junction, Buffalo. These are in addition to the ones above mentioned at the grade crossings of railroads.

The right of way is clear and clean. Fences are not maintained except opposite grazing land, of which there is but little.

The highway crossings are in proper condition and protected by signs of the diamond and X form. Cattle guards are not maintained and apparently not needed, as live stock is not permitted to graze in the vicinity of the crossings. Seventeen highway crossings of the Niagara Falls branch are protected by flagmen, 4 by flagmen and gates, 6 by electric bells, and the remaining 33 by crossing signs only; 4 of the Erie International and Erie and Black Rock branches by flagmen, and the remaining 9 by crossing signs only.

The movements of trains are governed by the manual controlled block signal system. Mile and whistle posts are properly maintained.

The station buildings are in good repair, and the sanitary conditions good; they are similarly furnished to those on the main line, New York division, and the same remarks apply.

Since the last inspection about 17 per cent. of the cross-ties have been renewed; 0.07 miles of 80-lb. rail have been laid on the Niagara Falls branch, replacing worn 63-lb. rail; extensive repairs have been made to the trestle

approach of bridge 12.39 on the Niagara Falls branch, and one trestle on the Erie and Black Rock branch filled; the station at North Tonawanda has been repaired and extended; repairs made to the stations at Walden avenue, Kensington, Main street, North Tonawanda, LaSalle, Niagara Falls, and Suspension Bridge, also to the engine house and ice house at Suspension Bridge; and these stations and others needing it have been repainted; six iron bridges of the Niagara Falls branch and three of the Erie International and Erie and Black Rock branches have also been repainted; the Black Rock station on the Erie International branch has also been repaired; and repairs have been made to the fences, where maintained, on the Niagara Falls branch.

Recommendations: That the old wood abutments to bridge 12.39 be replaced with masonry, and that bridges Nos. 4.05 and 19.23 be replaced or strengthened; that the worn 63-lb. rail on the Niagara Falls branch be replaced; and that targets be put on the stands of derailing switches where now lacking.

Buffalo and Southwestern Branch.

The Buffalo and Southwestern branch is a single track road extending from a connection with the Buffalo Creek road at South Buffalo to a connection with the Meadville division at Waterboro, a distance of 55.78 miles, and has 17.88 miles of sidings and yard tracks. From the junction with the Buffalo Creek the trains of this branch operate over the Buffalo Creek railroad, a distance of about 1¼ miles, to a connection with the main line of the Buffalo division near East Buffalo. This branch, in reality, extends to Jamestown, but from Waterboro to Jamestown, a distance of 10.60 miles, it is operated by the Meadville division and used as a second main track, and is treated in this report as a portion of the Meadville division.

The general alignment is very fair, and most curves are light; there is, however, a maximum of 8 degrees, located east of Dayton. The grades on a large portion of this branch are also light, but there is between Gowanda and Dayton about 4⅓ miles of grade of 132 ft. per mile.

The cuts and embankments are of full width and proper slopes, and the roadway is well drained. Sub-drains are used in wet cuts.

The steel and iron bridges are in good condition and a large proportion of them have been newly painted. Some are erected on pile or framed bents, used in place of masonry; all such are sound. The masonry to bridges having masonry is in very good condition. The ties and guard timbers are of standard dimensions and generally in good repair; a few were noted where ties and guard timbers were somewhat decayed, but in all such cases materials were on hand and men engaged putting them on. Inside guard rails are maintained on the long structures. There is a large number of small and low trestles, generally on pile bents, with stringers, ties and guard timbers of yellow pine, all of standard construction and in good repair. Most of the open culverts and cattle passes are constructed entirely of timber; the balance have fair masonry. Some I-beam stringers are used, but the majority are of yellow pine. The ties and guard timbers are of standard dimensions and the entire structures are in good repair. The arch and box culverts and iron pipe drains are in good condition.

The cross-ties, about 65 per cent. yellow pine, 30 per cent. oak, and 5 per cent. chestnut, are in good condition, evenly spaced and full spiked; the standard dimensions are 6 x 8 in., 8 ft. in length, and they are laid at the rate of 2,816 to the mile of track. Tie-plates are extensively used, and on curves are double spiked on the outer side. Of the track, 37.88 miles are laid with 74-lb., 5.82 miles with 80-lb., and the remainder, 12.69 miles, with 90-lb. steel rail. The 74-lb. rails are partially connected by angle plates 25 in. in length with four bolts, and the remaining portion by angle plates 40 in. in length with six bolts; the 80-lb. rails are connected by angle plates 25 in. in length with four bolts, the 90-lb. rails partially by angle plates 30 in. in length with six bolts, and the remainder by angle plates 24 in. in length with four bolts. The rail is in fair to good condition; all connections are full bolted, and no loose bolts were observed. The main track switches are split point. Both rigid and automatic stands are used, and all have

proper targets; outlying and obscure switches have high targets. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. Derailing switches are in all sidings where their use appears necessary; some, however, were observed where targets were lacking. The track is ballasted with slag, gravel, and cinders in good quantity. The alingment and surfacing of track are good, and the outer rail on curves properly elevated for the speed at which the trains are scheduled. The track sections are about 6 miles in length, and the force maintained on each consists of a foreman and six laborers. The section gangs are furnished with flags, lanterns, and torpedoes for protecting their work. All portions of the track are patrolled daily.

One track of the Chautauqua division of the Pennsylvania railroad and one of the New York, Chicago and St. Louis railroad, side by side, are crossed at grade at Blasdell; the crossings are protected by a tilting board signal, and all trains are required to come to a full stop. No interlocking plants are maintained except at the junction with the Meadville division, at Waterboro.

The right of way is free from trees, brush, and rubbish; grass and weeds have been cut and removed. The fences are of wire and generally in fair repair, although a few places were noted where repairs are needed and a little fence is lacking. The highway crossings are in proper condition and protected by signs of the diamond or X form. A few wooden slat cattle guards are maintained, but a majority of the crossings there are none. Two highway grade crossings are protected by electric bells, and the remaining 59 by crossing signs only.

The movements of trains are governed by the telegraphic block signal system. Mile posts are maintained, and the whistle posts are properly located.

The station buildings, while many of them are small, are in fair to good repair, and are apparently sufficient for the requirements. Considerable repairing and repainting have been done since the last inspection, and the general condition improved; the sanitary conditions are also good. They are furnished similar to those on the main line, New York division, and the same remarks apply.

The principal repairs and improvements noted as made since the last inspection are as follows: About 17 per cent. of the cross-ties have been renewed; 9.85 miles of 80 and 5.74 miles of 90-lb. rail have been laid, replacing worn 74-lb. rail; 15 miles of track have been re-ballasted with cinders; 8 open culverts and cattle passes have been replaced with iron pipe and filling, and 9 have had solid covering of metal and concrete put on, thus eliminating the openings to grade; new stations have been erected at Eden Valley and Blasdell; repairs and improvements made to stations at Hamburg, Water Valley, Eden Center, North Collins, Lawton, Collins, Gowanda, Dayton, South Dayton, Cherry Creek, and Conewango; and to sand house and ice house at Gowanda; and practically all these buildings repainted; 4½ miles of right of way fence and 3 miles of snow fence have been repaired.

Recommendations: That targets be put on the stands of derailing switches where now lacking, and that fences and cattle guards be maintained as required by law.

Rochester Division.

The main line of the Rochester division extends from a connection with Susquehanna division, main line, at Painted Post to Rochester, a distance of 92.78 miles, single track, and has 29.42 miles of sidings and yard tracks. The Conesus Lake branch extends from a connection with the main line at Conesus Lake junction to Lakeville, 1.61 miles, and has 0.46 miles of sidings and yard tracks. The Attica branch connects with the main line at Avon and extends to Attica, on the line of the Buffalo division, a distance of 34.55 miles, single track, and has 7.97 miles of sidings and yard tracks. The Mount Morris branch also connects with the main line at Avon and extends to Mount Morris, a distance of 17.70 miles, single track, and has

2.60 miles of sidings and yard tracks. The Mount Morris branch and the portion of the Rochester division main line from Avon to Rochester have been equipped and are now being operated electrically by the overhead trolley system.

The general alignment of the main line is good and all curves light; the maximum is 4 degrees, between Conesus Lake junction and Avon. The Conesus Lake branch has one curve of 4 degrees at the junction with the main line; aside from that the road is practically straight. The Attica branch has generally fair alignment; the maximum curve is 8 degrees, at Batavia. The Mount Morris branch has also good general alignment, with maximum curve of 2 degrees, west of Shakers. The main line crosses a considerable summit where there is a continuous grade of about 6 miles of 46 ft. per mile; aside from that the grades are all very light. The Conesus Lake branch has grade of 120 ft. per mile for about 1,000 ft., near the junction with the main line; the balance of the track is on light grade. The Attica branch has grades considerably broken but light, the maximum being 47.36 ft. per mile for about ⅔ mile, near Attica. The grades of the Mount Morris branch are light and fairly regular; the maximum is 33 ft. per mile for about one mile, near South Avon.

The roadbed of all the lines is well graded, and the drainage system good; sub-drains are used in wet cuts.

The steel and iron bridges are generally in good condition and fairly well painted. No. 11½ of the main line, near Avoca, over an abandoned race, is light and is supported on bents. It was expected to fill the opening, but there appears some difficulty in getting the right to do so. No. 28 of the main line, near Rush, and No. 30, over the Genesee river at Rochester, are both light structures and not of the best design; only light power is operated over them, but in the opinion of your inspector they should be replaced in the near future. There are no steel or iron bridges on the Conesus Lake branch, or openings to grade of any description. Bridges No. 1, over the Genesee river, near Avon; No. 4, at Le Roy, and No. 5, over the New York Central main line, near Batavia, are very light bridges. No 1 is to be replaced. Nos. 4 and 5, in the opinion of your inspector, should be replaced soon. Only light motive power is operated over them at present. All the iron bridges have fair to good masonry, standard ties and guard timbers in proper condition, and inside guard rails are maintained on all except long and high ones. The only wooden bridges are for overhead highway and farm crossings; all are well maintained, and low ones, as well as other overhead obstructions, protected by warning signals. There are very few trestle structures excepting in the Attica branch, where there are many short and low ones between Batavia and Attica. All the trestle structures are of standard construction and generally in good repair; the only one to which adverse criticism might be offered is that on the Mount Morris branch between Mount Morris and Genesee, and which is the only one on that branch. This is a pile structure and is getting old; it will need renewal or replacing soon. The open culverts and cattle passes of the main line have mostly fair to good masonry, I-beam stringers, standard ties and guard timbers in good repair; a few are constructed entirely of wood. In a few cases masonry is failing, and stringers are supported on bents pending renewal of the masonry. All, however, are in safe condition. On the Attica branch there are many constructed entirely of timber; most of them, however, have I-beam stringers; a few having masonry were noted where masonry is poor and the stringers are supported on bents. All are in safe condition. The ties and guard timbers are of standard dimensions and receiving proper attention. The arch and box culverts and iron pipe drains are apparently all in good condition.

The standard dimensions of cross-ties are 7 x 9 in., 8 ft. 6 in. in length, and 6 x 8 in., 8 ft. in length, both dimensions being used; they are about 55 per cent. yellow pine, 35 per cent. oak, and the remainder mixed chestnut, tamarack, and cedar; and are laid at the rate of 2,816 to the mile of track. They are in very good condition, necessary renewals having been

made, and are evenly spaced and full spiked. Tie-plates are used on curves. Of the main line track, 26.33 miles are laid with 80-lb., and the remainder, 66.45 miles, with 74-lb. steel rail. The 80-lb. rails are partly connected by Weber joints 24 in. in length with four bolts, and partly by angle plates 30 in. in length with six bolts; the 74-lb. rails are connected by angle plates 40 in. in length with six bolts. The rail is in good condition, all connections full bolted and bolts tight. The Conesus Lake branch is laid entirely with 63-lb. steel rail, connected by angle plates 24 in. in length with four bolts. This rail, while somewhat worn, is in fair condition for the light traffic and slow speed at which trains are run on that branch. The Attica branch has 24.19 miles laid with 80-lb., and the remainder, 10.36 miles with 74-lb. steel rail. The 80-lb. rails are connected by angle plates 30 in. in length, and the 74-lb. by angle plates 40 in. in length, with six bolts to the joint. The rail is in very good condition, much of it having recently been put in, replacing lighter, worn rail. All the connections are full bolted and bolts tight. The Mount Morris branch has 1.96 miles laid with 63-lb., and the remainder, 15.74 miles, with 80-lb. steel rail. The 80-lb. rail is second use, and has been put in since the last previous inspection, replacing 63-lb. rail. The 80-lb. rails are connected by Weber joints 24 in. in length, and the 63-lb. rails by angle plates 24 in. in length, with four bolts. The 80-lb. rail is in good condition; the 63-lb. rail is somewhat worn, but is as yet in fair condition. All the connections are full bolted and bolts tight. All main-track switches are split point and have stands automatic for main track; at outlying and obscure switches high targets are used. On the electrified portion, all switches connecting with the main track are electrically locked or protected by distant signals that are interlocked with the switch stands. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. The main track frogs are nearly all spring rail and are properly maintained. Derailing switches are in all sidings where their use appears necessary, and with few exceptions the stands to them have targets. The main line track is ballasted with gravel and cinders, generally in fair quantity, and has been much improved since the last previous inspection. The Conesus Lake branch is ballasted with gravel and cinders in medium quantity; the Attica branch with gravel and cinders, somewhat improved but on a very considerable portion of the road the ballast is still light. The Mount Morris branch has been entirely re-ballasted with gravel in good quantity. The alignment and surfacing of the tracks are good, and the outer rail on curves about correctly elevated for the speed at which the trains operate. The track sections of the main line are about six miles in length, and the force maintained upon each is a foreman and five laborers. The Conesus Lake branch is a part of a main line section. The track sections of the Attica branch are about 7 miles in length, and the force employed upon each a foreman and five laborers; of the Mount Morris branch, 8 miles in length, and the force a foreman and five laborers. Each gang is provided with flags, lanterns, and torpedoes, and all portions of the road are patrolled daily by some member of the section force.

The main line is crossed at grade by two tracks of the Delaware, Lackawanna and Western railroad at Erwin; the crossing is protected by a proper interlocking plant. One track of the Canandaigua division of the New York Central and Hudson River railroad at Rush; the crossing is protected by a tilting board signal, and all trains are required to come to a full stop before crossing. Two tracks of the West Shore railroad at Red Creek; the crossing is protected by gates, and all trains are required to come to a full stop before crossing. One track of the Corning and Painted Post street railway (electric) at Painted Post; there are derails in the track of the electric road, but no protection over the trolley wire. The Attica branch crosses at grade one track of the Genesee and Wyoming railroad west of Caledonia; the crossing is protected by signals that are interlocked, and trains are required to come to a full stop. One track of the Buffalo, Rochester and Pittsburgh railway at Le Roy; the crossing is protected by a tilting board signal, and all trains are required to come to a full stop. One track

of the Canandaigua division of the New York Central and Hudson River railroad west of Le Roy; the crossing is protected by a tilting board signal, and all trains are required to come to a full stop before crossing. The four main tracks and two sidings of the New York Central and Hudson River railroad at Batavia; the crossing is protected by a modern and complete interlocking plant recently installed. One track of the Attica branch of the New York Central and Hudson River railroad west of Batavia; protected by a tilting board signal, and all trains are required to come to a full stop. Two freight sidings of the New York Central and Hudson River railroad are also crossed at Batavia. When switching trains of the New York Central and Hudson River railroad operate over these tracks across the line of the Erie railroad, they are protected by flagging; the Erie trains do not stop at these crossings. The crossings are near together and should be protected by an interlocking plant, or all trains come to a full stop. The Mount Morris branch crosses two tracks of the Delaware, Lackawanna and Western railroad near Mount Morris; the crossing is protected by a modern and complete interlocking plant.

Interlocking plants are maintained on the main line at the junction with the Susquehanna division at Painted Post; with the grade crossing of the Delaware, Lackawanna and Western railroad at Erwin; at Rochester; on the Attica branch at the crossing of the New York Central and Hudson River railroad at Batavia, and of the Genesee and Wyoming west of Caledonia; on the Mount Morris branch at Avon, and the grade crossing of the Delaware, Lackawanna and Western railroad near Mount Morris.

The right of way is clear and clean, fenced with wire, generally in fair repair, although a little is lacking, and some repairs are needed. The highway crossings are properly maintained, and protected by signs of the diamond and X form. At a few of the crossings there are cattle guards, but in most cases, none. On the main line, 3 highway crossings are protected by flagmen, 1 by flagman and gates, 3 by electric bells, and the remaining 88 by crossing signs only. The two crossings of the Conesus Lake branch are protected by crossing signs only. On the Attica branch, 2 by flagmen, 1 by flagman and gates, and the remaining 38 by crossing signs only. On the Mount Morris branch, 1 by flagman, and the remaining 16 by crossing signs only.

A positive telegraphic block signal system is maintained between Rochester and Avon, and on the Mount Morris branch, in connection with the electric service; on the remaining portions of the division, the telegraphic train order system governs the movements of trains.

The station buildings, while many of them are small, are in very good repair, clean and neat, and the sanitary conditions good; they are furnished similarly to those on the main line, New York division, and the same remarks apply.

The principal repairs and improvements noted as made since the last inspection are as follows: About 20 per cent. of the cross-ties have been renewed; 24.19 miles of second-use 80-lb. steel rail laid in main line, replacing lighter, worn rail; 26.33 miles of second-use 80-lb. and 2.03 miles of 74-lb. rail have been laid in the Attica branch tracks, replacing worn, lighter rail; and 15.74 miles of second-use 80-lb. rail in the Mount Morris branch track, replacing worn, lighter rail; 17 miles of main line track have been re-ballasted with gravel, 3 miles of the Attica branch, and the entire Mount Morris branch; one overhead highway bridge of the main line west of South Livonia, formerly a wooden bridge, has been replaced with a lattice girder bridge; one open culvert of the main line at Painted Post has been rebuilt with concrete and a solid covering of metal and concrete put on, eliminating the opening to grade; and 4 open culverts have been replaced with iron pipe and filling; one stone box culvert near Conesus has been replaced with a concrete box culvert, and 9 box culverts have been replaced with iron pipe; 2 box culverts of the Mount Morris branch have also been replaced with iron pipe; the masonry to 4 bridges of the main line has been rebuilt or extensively repaired; bridge No. 6 of the Attica branch has had new

concrete abutments constructed, replacing timber abutments; and bridge No. 4½, near Stafford, has had masonry extensively repaired; an arch culvert on the Mount Morris branch, near Ashantee, has had new parapet walls constructed and been generally repaired; one open culvert near Mortimer, on the main line, has been rebuilt; and timber bents, blocking, stringers, etc., replaced or repaired to 18 other openings of the line; the bents, blocking, stringers, ties, etc., have been replaced or repaired to 24 open culverts and cattle passes of the Attica branch, and one has been rebuilt; repairs and improvements have also been made to similar openings in the Mount Morris branch; extensive repairs and renewals have also been made to bridge, trestle and culvert floors of all the lines excepting the Conesus Lake, on which there are no openings; new buildings have been constructed and repairs made as follows: On the main line, a 5-stall roundhouse, machine shop, and boiler house; transformer station, electric car bar, and storehouse at Avon; open sheds for freight platform at Rochester; 3 block signal towers between Rochester and Avon in connection with installing the block signal system on the electrified division, and the placing of 10 condemned box cars for station stops for the electric cars; new roofs have been put on stations at Savona, Curtis, Avoca, and Conesus Lake junction, Avon pumping station and carpenter shop, and Rochester ice house; extensive repairs have been made to Avon station, Rochester roundhouse; lighter repairs have been made to other station buildings, and 35 have been repainted; on the Attica branch, a new roof has been put on at Le Roy station; the Batavia station has been repainted, and light repairs have been made to other station buildings; on the Mount Morris branch, 2 block signal towers have been erected between Avon and Mount Morris; 10 condemned box car stations placed for the electric service; new roofs have been put on the station at Mount Morris, and on both freight and passenger stations at Genesee; lighter repairs have been made to other station buildings, and 4 repainted; 16 steel and iron bridges of the main line and 4 of the Attica branch have been repainted; 3.24 miles of new fence have been built on the main line, and 52.30 miles extensively repaired; also 1.87 miles of snow fence erected; 0.18 miles of new fence have been constructed on the Conesus Lake branch, and 1.46 miles extensively repaired; 0.75 miles of new fence on the Attica branch, and 6.82 miles extensively repaired, and 1.11 miles of snow fence erected; 1.20 miles of new fence built on the Mount Morris branch, 6.82 miles extensively repaired, and 0.57 miles of snow fence erected; there have been added to sidings and yards of the main line, 5.78 miles of new tracks; on the Attica branch, two new sidings constructed for industries at Batavia; and new passing tracks for the electric operation on the Mount Morris branch, equaling 0.32 miles.

Recommendations: That bridge No. 11½ of the main line be replaced or filled, and that Nos. 28 and 30 be replaced or strengthened; also Nos. 4 and 5 of the Attica branch (arrangements have already been made for replacing No. 1); that the pile trestle on the Mount Morris branch between Mount Morris and Genesee be replaced or extensively repaired in the near future; that targets be put on the stands of derailing switches where now lacking; that the two freight crossings of the New York Central and Hudson River railroad of the Attica branch at Batavia be protected by interlocking, or that trains be required to come to a full stop before crossing, and that fences and cattle guards be maintained as required by law.

Allegheny Division.

The Allegheny division extends from the west end of Hornell yard to Dunkirk, a distance of 128.02 miles, with 14.15 miles of second main track, the second main track being from Hornell to between Alfred and Almond, and from east of Carrollton to Salamanca; there are 58.58 miles of sidings and yard tracks.

The general alignment is fair and most curves are light; the maximum is 6 degrees, at Cattaraugus. The road crosses several summits, and there are long grades and somewhat broken; the maximum is 52 ft. per mile, extending for several miles west from Hornell.

The cuts and embankments are of good width and proper slopes and the roadway generally well drained; there are, however, two cuts west from Dayton where material from the slopes, mainly shelly rock, has filled the ditches, and they were about being cleaned at the time the inspection was made.

Bridges Nos. 29 and 30 are old and light structures, and arrangements are made for replacing them; aside from these, all are in good condition, are fairly well painted, have good masonry and standard ties and guard timbers properly maintained. Inside guard rails are maintained on all east of Salamanca, and on all long and high ones west of Salamanca. There are no wooden bridges excepting those for overhead highway and farm crossings; they are properly maintained and all low ones protected by warning signals. There are no timber trestles remaining in the main track. All open culverts and cattle passes except four, which have wood abutments, have good masonry abutments; all have I-beam stringers with standard ties and guard timbers, and all are well maintained. The arch, box, and iron pipe culverts are generally in good condition, and extensive repairs have been made to many of them. There is one structure consisting of two arches over South street, Cuba, that needs attention; the arches were made very short and the parapet projected in order to make room for track and filling. This projection is falling, and timbers have been placed under the coping and held there by wooden props. This is a poor arrangement; the arches should be either extended or the entire top reconstructed and made secure.

East of Salamanca the standard dimensions of cross-ties are 7 x 9 in., 8 ft., 6 in. in length; west of Salamanca, 6 x 8 in., 8 ft. in length; they are laid at the rate of 2,816 to the mile of track; about 80 per cent. of them are yellow pine, 17 per cent. oak, and 3 per cent. chestnut; they are in good condition, necessary renewals having been made, and are very well spaced and full spiked. Tie-plates are used on curves. Of the track, 93.46 miles are laid with 90-lb., 13.07 miles with 80-lb., 14.52 miles with 74-lb., and the remaining portion, 21.13 miles, with 63-lb. steel rail. A portion of the 90-lb. rails are connected by angle plates 24 in. in length with four bolts; the remaining portion, and also the 80-lb. rails, by angle plates 30 in. in length with six bolts; the 74-lb. rails partially by angle plates 40 in. in length with six bolts, and the remainder and the 63-lb. rails by angle plates 25 in. in length with four bolts. The 90 and the 80-lb. rails are in good condition; the 74 and the 63-lb. rails considerably worn, and some renewals are needed. All the connections are full bolted, and no loose bolts were observed. The main track switches are split point; both rigid and automatic stands are used, and all outlying and obscure switches, where not protected by interlocking, have high targets. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. The main track frogs are spring rail and in proper condition. Derailing switches are in all sidings where their use appears necessary; a large proportion of them are connected with the main track switch stand by interlocking, and all others have proper targets on the stands. The track is ballasted with gravel and cinders, east of Salamanca in good quantity, and in fair quantity west of that place. The alignment and surfacing of track are first class, and the outer rail on curves properly elevated. Between Hornell and Salamanca the track sections are approximately 5 miles in length; west of Salamanca, 6½ miles in length. The force employed upon each section consists of a foreman and five laborers. Each gang is furnished with the necessary appliances for protecting its work, and all portions of the track are patrolled daily.

Two tracks of the Buffalo division of the Pennsylvania railroad are crossed at grade at Olean; the crossing is protected by a modern and complete interlocking plant. One track of the Chautauqua division of the Pennsylvania railroad, and one track of the New York, Chicago and St. Louis railroad, side by side, at Dunkirk; the crossing is protected by a tilting board signal, and all trains are required to come to a full stop. One switch-

ing track of the Dunkirk, Allegheny Valley and Pittsburgh railroad, in Dunkirk yard; the crossing is protected by a semaphore signal; at this place there are only yard movements of trains; the signal is operated by the trainmen, and all trains run very slowly. One track of the Olean street railway (electric) crosses at grade west of Olean; there are derails in the track of the electric road and a proper protection over the trolley wire.

Interlocking plants are maintained at Almond, Wellsville, Tip Top, east of Olean, Pennsylvania railroad crossing, Olean, east of Carrollton, and west of Carrollton.

The right of way is free from trees, brush, and rubbish. The fences are generally of wire and in fair repair; some, however, were noted as needing repairs, and a little lacking. The highway crossings are properly maintained and protected by signs of the diamond and X form, suitably located and well painted. There are some wooden slat cattle guards at the boundaries of highways, but at most they are lacking. Eight highway crossings are protected by flagmen, 7 by flagmen and gates, and the remaining 125 by crossing signs only.

Between Hornell and Salamanca the movements of trains are governed by the manual controlled block system, west of Salamanca by the telegraphic train order system. Mile and whistle posts are properly maintained.

The station buildings are generally in good repair, clean and neat, and the sanitary conditions first class; they are furnished similarly to those of the main line, New York division, and the same remarks apply.

The principal repairs and improvements noted as made since the last inspection are as follows: About 20 per cent. of the cross-ties have been renewed; 36.68 miles of new 90-lb. steel rail have been laid, and 5.57 miles of relaying 80-lb. rail, replacing worn and lighter rail; 15.85 miles of main track have been re-ballasted with gravel, and 9.89 miles with cinders; 3 open culverts and cattle passes have been replaced with stone box culverts or reinforced concrete; bridges Nos. 20 and 31 have been replaced with stronger structures; one stone box culvert has been rebuilt and one replaced with iron pipe; one arch culvert has been relined and repaired, and one stone box culvert extensively repaired; repairs have been made to masonry, etc., of 11 bridges and to 14 culverts; a new freight house and transfer platforms have been built at Salamanca; new combination station and freight house at Smith's Mills; stations have been extensively repaired at Andover, Wellsville, Scio, Belvidere, Carrollton, Salamanca, Forestville, and Dunkirk; the stations at Almond, Scio, Olean, Carrollton, and Dayton have been repainted; 8.21 miles of new fence have been constructed and 15.62 miles extensively repaired, and 1.24 miles of snow fence erected; sidings have been extended and new tracks built at Wellsville, Salamanca, and Dunkirk, equaling 2.65 miles; a new ash pit and turntable have been installed at Dunkirk, new turntable at Dayton and Salamanca, roundhouse at Salamanca enlarged, and a new ash pit constructed.

Recommendations: That the stone arches over South street, Cuba, be either extended or parapets rebuilt and made secure; that necessary renewal of worn 63 and 74-lb. rail be made; and that fences and cattle guards be maintained as required by law.

Bradford Division.

The portion of the Bradford division in this State extends from a connection with the Allegheny division at Carrollton to the Pennsylvania-State line near Limestone, a distance of 7.98 miles, single track, and has 5.13 miles of sidings and yard tracks.

Most of the road is on tangent; the maximum curve is 3 degrees, located at Irving's. The grades are light and for much of the distance practically level; the maximum is 33 ft. per mile for about a quarter of a mile west of Limestone. Most of the railroad is on embankment: there are a few cuts of proper width and slopes. The embankments are strong and the roadway well drained.

There is but one iron bridge in the roadway; that is a through truss, over the Allegheny river, near Riverside; it is in good condition, well painted, and has good masonry abutments, standard ties and guard timbers well maintained. There are no wooden bridges. There are several quite extensive trestles of framed bents on pile foundation; they are of standard construction and all timber in sound condition. Inside guard rails are not maintained on them or on the iron bridge. The open culverts and cattle passes are constructed entirely of timber, but are in good, safe condition throughout. There are no arch culverts. The stone box and iron pipe drains are in good condition.

The standard cross-ties are 7 x 9 in., 8½ ft. in length, and laid at the rate of 2,816 to the mile of track; about 50 per cent. of them are yellow pine, and the remainder about equally divided between oak and chestnut; their general condition is good; they are evenly spaced and full spiked. The track is laid entirely with 80-lb. steel rail, connected by angle plates 30 in. in length with six bolts. The rail is in very fair condition, all connections full bolted, and bolts tight. The switches are split point. Both rigid and automatic stands are used. All have proper targets. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. The main track frogs are spring rail, properly maintained. There are no derailing switches, and apparently none are needed. The track is ballasted with gravel and cinders in fair quantity. The alignment and surfacing are good, and the outer rail on curves properly elevated. The track sections are about 5½ miles in length, and the force maintained upon each section a foreman and four laborers. Each gang is furnished with the necessary applicances for protecting its work, and all parts of the road are patrolled daily.

One track of the Buffalo division of the Pennsylvania railroad is crossed at grade at Riverside; the crossing is protected by a tilting board signal, and all trains are required to come to a full stop.

The only interlocking plant maintained is at the connection with the main line, Allegheny division, at Carrollton.

The right of way is free from trees and brush, the brush having recently been cut; grass and weeds have also been cut and removed. Very little fencing is maintained. The highway crossings are in proper condition and are protected by signs of the X form properly placed and well painted. No cattle guards are maintained. The five highway grade crossings are protected by crossing signs only.

The movements of trains are governed by the telegraphic train order system. Mile and whistle posts are maintained.

Aside from the station of the Allegheny division at Carrollton, which is used by this branch, the only station building maintained is a small frame building at Limestone; it is in good repair and similarly furnished to those of the main line, New York division, and the same remarks apply.

Since the last inspection about 29 per cent. of the cross-ties have been renewed; one mile of track has been re-ballasted with cinders; one timber trestle has been replaced with iron pipe and filling; necessary repairs have been made to bridge, trestle, open culvert, and cattle pass floors; about 3½ miles of fence have been constructed and 1 mile repaired.

Recommendation: That fences and cattle guards be maintained as required by law.

Meadville Division.

The portion of the Meadville division in this State extends from a connection with the Allegheny division at Salamanca to the Pennsylvania-State line near Niobe, a distance of 48.20 miles, and has 16.92 miles of second main track. This second main track comprises the portion of the Buffalo and Southwestern railroad from Waterboro to Jamestown, which is used as second main track, and from Jamestown to Lakewood. West of Lakewood, and to the Pennsylvania-State line and beyond, a new double track line, which for much of the distance is located from a quarter to half a mile away from the present road, is being constructed, and when done it is expected that the present road between those places will be abandoned.

The general alignment is first class, and nearly all curves are light; there is, however, a curve of 9 degrees, at Jamestown. The grades are generally light; there is, however, for a distance near Ashville a maximum of 63.36 ft. per mile. When the line now being constructed is completed, the maximum grade will be reduced to 16 ft. per mile.

The cuts and embankments are of good width and proper slopes and the roadway generally well drained; sub-drains are used in wet cuts. A few cuts on the portion of the line which is to be changed have ditches partially filled, but it is probable that the new line will be put in operation before winter; if not, it is planned to properly clean those ditches.

The steel and iron bridges are in good condition and generally well painted, have good masonry, standard ties and guard timbers, and inside guard rails are maintained. There are no wooden bridges excepting for overhead highway and farm crossings; they are in good condition, and all low ones are protected by warning signals. There is one framed bent trestle, of standard construction and in good repair, on the line of the Buffalo and Southwestern road, which is used as a second main track, and there is one trestle structure of pile bents at Jamestown; it is in good condition except the covering, and arrangements are made for replacing it. The open culverts and cattle passes have good masonry and I-beam stringers, with standard ties and guard timbers. Several were noted where new ties and guard timbers are needed; the attention of the official of the company who was with your inspector was directed to them, and he was advised that arrangements had already been made for renewing them. The arch, box, and iron pipe culverts are in good condition.

The cross-ties, practically all oak, are 7 x 8 in., 8½ ft. in length, and laid at the rate of 2,816 to the mile of track; they are in good condition, well spaced and full spiked. Tie-plates are used on curves, and many elsewhere, and those on curves are double spiked on the outer side. The track is laid entirely with 90-lb. steel rail, partly connected by angle plates 30 in. in length with six bolts and partly by angle plates 24 in. in length with four bolts. The rail is in very good condition. A few connections were noted where some bolts were missing and others loose. The main track switches are split point, and where not connected with interlocking; the stands are automatic for main track. Many high targets are used at outlying and obscure switches. Switch and semaphore lamps show red light for danger, green for safety, and yellow is used for caution. The main track frogs are spring rail and in proper condition. Derailing switches are in all sidings where their use appears necessary; many of them are connected by interlocking with the main track switch stands; some were observed not so connected where the stands lacked targets. The track is ballasted with gravel and slag in fair to good quantity. The alignment and surfacing of the track are good, and the outer rail on curves properly elevated. The track sections average 5.35 miles in length, and the force employed upon each consists of a foreman and from five to six laborers. Each gang is furnished with the necessary appliances for protecting its work, and all portions of the track are patrolled daily.

One track of the Dunkirk, Allegheny Valley and Pittsburgh railroad is crossed at grade at Falconer Junction; the crossing is protected by a proper interlocking plant. One freight track of the Jamestown, Chautauqua and Lake Erie railway at Jamestown; the crossing is protected by a proper interlocking plant. One track of the Jamestown street railway (electric) crosses at grade on Main street, Jamestown; there is a derail in the track of the electric road where that track descends a hill, approaching the crossing. This derail is operated by the trainmen of the electric road, and it was noted that when cars came down the hill the men would close the derail, then go on, leaving it closed. Another car which might be following would find the derail closed; and should the car get beyond control, there would be nothing to prevent its running upon the track of the steam road. This derail should be so arranged that the conductor would be obliged to cross the track of the steam road in order to close it, and that he would be

obliged to hold it closed until after his car had passed, and that it would then automatically open. This is a very bad crossing. There is no protection over the trolley wire. One track of the same railroad crosses at grade on Ashville avenue, Jamestown; there are no derails in the track of the electric road, and the copper trough over the trolley wire is too short and should be extended.

Interlocking plants are located at Bucktooth, Red House, Waterboro, at the crossing of the Dunkirk, Allegheny Valley and Pittsburgh railroad at Falconer Junction, and the crossing of the Jamestown, Chautauqua and Lake Erie railway at Jamestown.

The right of way is clear and clean and fenced with wire, generally in good repair. The highway crossings are in proper condition and protected by signs of the diamond and X form. No cattle guards are maintained. Three highway crossings are protected by flagmen, 6 by flagmen and gates, 3 by electric bells, and the remaining 39 by crossing signs only.

What is known as the Mozier three-way block system is used on this division. Mile posts and also half-mile posts of stone are maintained. The whistle posts are of wood and properly located.

The station buildings are generally in fair to good condition; the one at Watts Flats, however, needs painting; and the one at Ashville is old and somewhat out of repair. These stations, however, will be abandoned when the new line is completed. The waiting room of the station at Jamestown is evidently too small, and is to be enlarged. The station building at Kennedy needs repainting; and the ones at Randolph and Steamburg should have new platforms, the old ones being in poor condition. The sanitary conditions are good, and the stations are furnished similarly to those on the main line, New York division, and the same remarks apply.

The principal repairs and improvements noted as made since the last inspection are as follows: A new line of double track railroad, to replace the present single track line, has been commenced, and the construction is well along between Lakewood and the Pennsylvania-State line, a distance of about 9.5 miles; about 25 per cent. of the cross-ties have been renewed; 7.15 miles of new 90-lb. rail laid, replacing worn 80-lb. rail; 33.37 miles of track have been re-ballasted with gravel and slag; 7 light iron bridges and one timber trestle have been replaced with new steel bridges; 2 open culverts have had solid flooring of metal and concrete put on and the track ballasted over it, thereby eliminating the openings to grade; one arch culvert has been replaced with a reinforced concrete arch; the masonry has been rebuilt to 7 bridges, and to 1 very extensively repaired; the masonry to 2 open culverts has also been repaired; a new station has been erected at Falconer Junction, and the freight house at that place removed and generally repaired; the Jamestown passenger station has had slight repairs and been repainted; and the stations at Randolph and Kennedy also repainted; 7 steel and iron bridges have been repainted; 0.31 miles of new fence erected, and 2 miles extensively repaired.

Recommendations: That the new ties and guard timbers to be placed upon culverts and cattle passes be put on without delay; that missing track bolts be supplied, and the loose ones tightened; that targets be put on the stands of derailing switches where now lacking; that fences and cattle guards be maintained as required by law; and that the improvements to stations recommended in the body of the report be made.

A copy of this report was submitted to the general manager of the company, who replied that the recommendations were in the hands of the company's inspectors and progress was being made in same in usual manner; recommendations concerning stations not yet acted upon.

APPENDIX K.

Inspection of Street Surface, Electric Railroads.

Reports of Inspectors, With Summary of Action of Corporations Thereon.

APPENDIX K.

BUFFALO SOUTHERN RAILWAY.

I have made an inspection of the Buffalo Southern Railway (July 22, 1907), and submit the following:

The Gardenville division of this company's system extends from Seneca street, Buffalo, to Lines Park, a distance of 5 miles. It is single track, constructed of 65-lb. T rail, located nearly all the distance on the highway. On the line there is a gradé of 4 per cent. for 400 feet. There are three turnouts arranged for a maximum of 15-minute headway. There are three grade crossings of steam railroad tracks.

The company has five motor and eight trailer cars available for operation on this division. Of the motor cars, one is an open 12-bench, four closed; all double trucked. The trailers are single truck, 8-bench open cars. The motors are equipped with double chain brakes and sand boxes.

In regular operation, trains are run on a 30-minute headway. Trains of three cars are operated as traffic requires. No second sections are run. When trailers are used, there is one man on each car. The company has no book of rules; the schedule is posted at Gardenville. Cars lay at switches for opposing cars five minutes, and then flag ahead. Telephones available at all switches and each terminal. In winter operation, three crews are required for the schedule, and the maximum number of men employed during the summer season is twenty-four. As far as practicable, the new men are put on as conductors and old men used as motormen. The greater number of the extra men employed have been running as such for several years during the summer season.

Hamburg division.— The division extends from Seneca street, Buffalo. to Hamburg, a distance of 10 miles, one mile of which is on private right of way. It is constructed of 60-lb. rail. There are three switches, with telephones available at all points. On the line there is one steel bridge with three spans, 222 ft. each, and two wooden structures.

The track on this division of the company's system has been considerably improved since the last inspection. Five thousand ties have been put in, in the past two years, the track has been re-ballasted, aligned, and surfaced, and at present is in fair condition, but this work of reconstruction should be continued until all of the original ties are replaced by new ones.

The two wooden structures are in fair condition and of sufficient strength for the present weight of equipment and speed at which cars are operated over it. The trestle at the end of the three-span bridge over Cazenovia creek is not in good condition, and should be rebuilt in the near future.

The company has seven cars available for operation on this division, all closed and all equipped with air brakes and sand boxes. This equipment is in fair condition.

Cars are operated on 45-minute headway, requiring two cars, which meet at Orchard Park junction, at which point they are obliged to wait for connections with the Orchard Park line, so that this is an arbitrary meeting point.

Orchard Park Division.— The branch extends from the main line at Orchard Park junction to Orchard Park, a distance of 2¾ miles, and is constructed of 60-lb. T rail laid on the highway. On this line there is one

wooden structure of five bents. Only one car is operated on this line. The track on this branch is in fair condition, and the structure is of sufficient strength for the traffic which passes over it. The company has sufficient power available for requirements of maximum operation.

From Seneca street, the first crossing of steam railroad tracks is with two tracks of the Pennsylvania railroad. The electric tracks at this point are on a reverse curve. There is no protection at this crossing. On account of the curves in the electric tracks, it is not practicable to operate derails at either side of this crossing. The electric track should be straightened, and when this is done it should be equipped with derails on either side of the crossing. The next crossing is with two tracks of the Terminal Railroad Company. This crossing is properly protected by derails. There is no metal trough over the trolley wire. The next crossing is with three tracks of the Pennsylvania railroad at Ebenezer. There is no protection at this crossing, and it is a jump crossing, in such condition that the possibility of derailment of an electric car is very great.

The matter of safety of operation over the two crossings of the Pennsylvania railroad has been a subject of consideration by the Board of Railroad Commissioners for a number of years. There has been one accident on the reverse curve crossing, where a car was struck by an engine. The Board of Railroad Commissioners from time to time have recommended derails at this point. These have not been put in. The crossing at Ebenezer is a very dangerous one, and the Board has from time to time recommended derails at this point. The Pennsylvania railroad claim they have a contract with the electric road by the terms of which they can maintain a continuous rail, which makes it necessary for a jump crossing. Notwithstanding this contract, safety of operation on both railroads requires a cut crossing, properly constructed, at this point.

During the year ending June 30th, there was carried on the electric line an average of 1,137 passengers daily. The maximum number of passengers carried in one day over these crossings was 7,939. On the steam railroad there are operated sixteen daily passenger trains and from twenty to thirty freight trains. In addition, there are a number of switch movements over the Ebenezer crossing. A blue print of the two crossings mentioned is submitted with this report.

To increase the safety of operation on this railroad, the following recommendations are made:

That the Public Service Commission, Second District, State of New York, order the Buffalo Southern Railway Company:

1. That the trestle on the approach to the bridge over Cazenovia creek be reconstructed, this work to be completed May 1, 1908.

2. That its track be reconstructed at the grade crossing of the Pennsylvania railroad first west from Seneca street, in accordance with the blue print submitted with this report, such reconstruction to include a special work cut crossing at this point; also that a metal trough be constructed on the trolley wire extending over the crossing, and that derails be placed in the electric track on either side of the crossing, these to be operated by conductors of electric cars.

3. That its track be reconstructed at the grade crossing of three tracks of the Pennsylvania railroad at Ebenezer, such reconstruction to include a special work cut crossing, and that a metal trough be placed on the trolley wire extending over this crossing; also that derails be placed in the electric track on either side of the crossing, these to be operated by the conductors of electric cars.

4. That a metal trough be placed on the trolley wire extending over the crossing of the Terminal Railroad Company's tracks.

5. That after January 1, 1908, no train consisting of two or more cars drawn by one motor car, be operated on this company's system, unless each car in such train be equipped with some form of power brake so constructed

and arranged that the motorman can control the brakes on all cars of the train.

6. That the work of equipping the grade crossings of steam railroad tracks, as ordered, be completed not later than January 1, 1908.

7. That the company prepare and compile in book form a proper set of rules, these to be distributed to all employees interested in train or car movement.

The Public Service Commission, Second District, State of New York, also recommend that the Buffalo Southern Company continue the work of ballasting, surfacing, aligning, and adding new ties to the track on its Hamburg division.

A copy of this report was transmitted to the general manager of the company, and a copy to the general superintendent of the Pennsylvania Railroad Company. The recommendations were agreed to, except as to the crossings of the Pennsylvania railroad; this matter is still under consideration.

LEWISTON AND YOUNGSTOWN FRONTIER RAILROAD.

I have made a supplementary inspection of the Lewiston and Youngstown Frontier railroad, and submit the following:

This inspection was made July 9th, at which date I found that the recommendations made in former reports in reference to trestle work, track and roadbed, and "slow" signs, have been complied with.

The track of this line is in good condition. The methods of operation are such that collisions should not occur on this road.

No suggestions are deemed necessary, the adoption of which would increase the safety of operation on this road.

NIAGARA GORGE RAILROAD.

In company with Commissioner Sague, I have made an inspection of the Niagara Gorge railroad (July 15, 1907), and submit the following:

Several inspections of this road have been made under the authority of the Railroad Commission of the State of New York, and the recent one shows that the condition of track, roadbed and equipment have been materially improved.

This road is double track, and extends from Niagara Falls to Lewiston, a distance of about seven miles. The greater portion of the distance it is located along the bank of the Niagara river. On the Niagara Falls end of the line there is a grade descending towards Lewiston, with an average of 4 per cent. for a distance of about three-quarters of a mile. There is a reverse curve at the foot of the grade. On this curve, on account of the abutment of a railroad bridge, the tracks are gauntleted, and are constructed over an opening on a steel bridge.

The grade is on a high bank, which in places is nearly perpendicular, rising from the river. On this high bank there is a 12 x 12 in. guard timber, properly secured outside the outside rail. Some of the curves facing the river bank on other portions of the line are equipped with a guard rail, 65-lb., secured on chairs about four feet apart, fastened to the ties by three spikes in each chair. This rail is elevated four in. above the top of the traction rail. On some of these curves there is a ribbon guard on the inside rail of the river track. All curves of this character should be equipped with the outside guard rail and the ribbon guard. The location of this railroad along the river bank adds additional dangers to the ordinary results of a derailed car. The gauntleted track at the foot of the grade near the Niagara Falls end of the line also adds to the possibility of accident.

For these, and other reasons, all possible precautions must be taken in the operation of this road; and while the methods of operation are good, and the management realize the dangers incident to it, the following suggestions are made to increase the safety of operation on this railroad.

That the Public Service Commission, Second District, State of New York, order the Niagara Gorge Railroad Company:

1. That equipment be completed on all curves facing the river with the guard rail similar to that on other portions of the line, and that all such curves be equipped with a ribbon guard on the inside rail of the up or outside track.

2. That no fares be collected by conductors of trailer cars while such cars are being operated down the grade near the Niagara Falls terminus, the conductors while on this grade to be stationed at the brake.

3. That after January 1, 1908, no train consisting of two or more cars coupled together, drawn by one motor car, be operated on this railroad unless all cars in such train are equipped with some form of power brake so constructed that the motorman can set the brakes on all the cars of a train.

A copy of this report was transmitted to the general manager of the company, who agreed with all the recommendations, and reported that improvements suggested were being made; and later, that guard rail was being installed.

ROCHESTER, CHARLOTTE AND MANITOU RAILROAD.

I have made an inspection of the Rochester, Charlotte and Manitou Railroad (July 22, 1907), and submit the following:

This road, which is single track, extends from Charlotte to Manitou, a distance of 7.8 miles, all on private right of way, except 2,500 ft. in the village of Charlotte. On the line there are five meeting points, with six trestles: one at Greenleaf's, 16 ft.; Little Pond, 75 ft.; Round Pond, 75 ft.; Buck Pond, 100 ft.; Long Pond, 200 ft.; Braddock's Bay, 2,000 ft. The maximum grade on the line is 4½ per cent. for about 400 ft.

The company has available for operation nine motor cars. Of these, one is closed; three 10-bench; five 9-bench; twelve trailers: seven 9-bench and three 10-bench, all single truck cars. Motor equipment: one G. E. 800; two G. E. 1,000; one G. E. 90; three 33 S.; three W. P. 50.

The power house is equipped with three units: one 350 kw.; two 150 kw. The latter were installed in 1894; the 350 kw. unit was installed in 1904; all belted. The company has sufficient power for maximum requirements of operation.

The regular schedule of operation is 25-minute headway. Increased travel is taken care of by adding trailer cars, and at times four-car trains are run. This is done with a crew of only two men, a motorman and one conductor. On the 25-minute headway, trains meet at every other switch. When trains are run in sections, the sections precede the regular car of the run, and they carry white sign with green circular center in the day time and green light at night, indicating "car following". Run numbers are carried on the front end of regular cars.

The company has no book of rules; crews report to dispatcher at each terminal and receive a verbal or telephone clearance. There is a train dispatcher located at the Charlotte terminus, who issues orders to conductor or motorman. No records of these orders are made by the dispatcher or the train crews. Crews do not report at switches, unless either they or the opposing train is late.

The methods of operation, including the train dispatching, are not such as are necessary for safe operation.

The company employs five regular motormen, and at present two extra. There are five regular conductors, and at present two extra. While this

road is not operated during the winter season, nearly all of these men have been in the employ of the company for several years, and all are perfectly familiar with the physical conditions and methods of operation on this road.

The track and roadbed of this road, except the trestles, are in fair condition for the class of cars and the speed at which they are operated over it. All the curves are equipped with guard rails. A number of the ties, however, should be renewed.

This road extends between two popular summer resorts, and there is a large amount of pleasure travel over it. This is of such a character that at times it taxes the capacity of the equipment of the road and the strength of the trestles on it. The dangerous features in connection with the operation of this road are the poor condition of the trestle over Braddock's Bay, and the method of operation.

The first inspection of the Braddock's Bay trestle, which was made on Sunday, July 14th, developed such a condition that subsequent detailed examinations of it were made July 15th, 18th, and 21st. The conditions discovered on the first detailed examination were such that safety of operation required immediate repairs to be made to this structure. On the latter inspection, it was found that these repairs had been made. On the first inspection, the track was in dangerous condition of surfacing and alignment. On Sunday, the 21st, it was found that the surfacing of the track had been completed, and work had been done and was progressing on the alignment. All of this work is, however, of a temporary character, and does not add to the permanent strength of the structure. It should be entirely reconstructed. In order to operate over it the remaining part of this season, it should be inspected weekly; the inspection should be thorough and made by means of a boat under the trestle as well as walking over it. Safety of operation requires that trains should be run at the slowest possible speed over this structure.

While the roadbed and the other structures on the line are in fair condition for the traffic which passes over them, the comfort, convenience, and safety of passengers, as well as the revenue of this company, would be greatly increased if this road were entirely rebuilt: double track with 70-lb. rails, steel structures, and equipped with modern high speed cars.

While the above statement is true, the following suggestions are based upon the safety of operation only on this road; to increase which the following recommendations are made:

That the Public Service Commission, Second District, State of New York, order the Rochester, Charlotte and Manitou Railroad Company:

1. That it submit to this Commission plans for the *reconstruction* of the trestle over Braddock's Bay by January 1, 1908, and that no train or car carrying passengers be operated over the present trestle after that date.

2. That no train or car operated over the Braddock's Bay trestle shall run over this trestle in less than four minutes. That the company place a watchman's clock at one end of the trestle, so arranged that a motorman pushing a button at either end of the trestle, a record will be made by the clock of the time consumed in its passage between these points, this clock and necessary connections to be installed in one week from the acknowledged receipt of this report.

3. That after January 1, 1908, no train consisting of two or more cars, drawn by one motor car, be operated on this company's system, unless each car in such train is equipped with some form of power brake so constructed and arranged that the motorman can control the brakes on all the cars of the train.

4. That after the acknowledged receipt of this order, no train consisting of two or more cars shall be operated over this road without a conductor on each car.

5. That the company prepare and compile in book form a proper set of rules, these to be distributed to all employees interested in train or car movement,

6. That a proper method of train dispatching be installed on this company's road, to include train sheets in the dispatcher's office, on which a record of the movement of all trains shall be kept, register books at terminals in which crews shall register the arrival and departure of trains; train order blanks by the use of which the motorman will receive orders and write them in manifold, handing one copy to the conductor, who will repeat it back to the train dispatcher, receiving his O. K.; a system of cards to be prepared and given to motormen who will exchange these with opposing motormen, the card to contain the information whether sections are following or not; and other improvements in methods of operation; all to be approved by this Commission.

7. That the company cause a detailed inspection of the Braddock's Bay trestle to be made weekly, the result of such inspection to be embodied in a written report filed with the superintendent of the road.

A copy of this report was transmitted to the president of the company, who demurred to some of the recommendations; and the matter is still under consideration.

ROCHESTER AND EASTERN RAPID RAILWAY.

I have made an inspection of the Rochester and Eastern Rapid Railway Company's system (July 24, 1907), and submit the following:

This road, which is single track, extends from Rochester to Geneva, a distance of 40.60 miles, all located on private right of way except 5.6 miles. It is constructed of 70-lb. T rails, 6 bolt splices, with gravel ballast between Rochester and Canandaigua, a distance of 24.60 miles; and rock ballast between Canandaigua and Geneva, a distance of 16 miles. Ties are cedar, 8 ft. by 6 in. face, except on curves, where some square yellow pine ties 6 x 6 in. are used. About one-fifth of the ties on curves are of this character. On the line there are a number of heavy grades and sharp curves. The maximum grade, one of 5.1 per cent. for 1,200 ft., is on the approach to the under crossing of the Sodus branch of the Northern Central railroad. The curves outside of the village limits range from one to fifteen degrees, a number of them located at the foot of grades. On the line there are thirteen structures. Seven crossings of steam railroads; two over, three under, and two at grade. There are fifteen sidings. There are six points where agents are stationed; three points where track connections are made with steam railroads.

The company has available for operation fourteen passenger cars: eight closed vestibuled, 52 ft. over all, six 47½ ft. vestibuled; two express cars, 50 ft. box; one 37-ft. work car; ten cars equipped for multiple unit operation. All cars are equipped with air, hand brakes, sand boxes (air sanders), electric headlights, wrecking tools and fire extinguishers; steel tired wheels 3¼-in. tread, ⅞ x 1¼-in. flange, journals 4¾ x 8 in., axle 5½ in. Eight cars weigh 35 tons; six cars weigh 28 tons each. Eight of the cars are equipped with toilet rooms; six are not so equipped. The company has sufficient cars for schedule requirements, but no extra equipment for unusual heavy traffic or to replace disabled equipment.

The power house is located in the village of Canandaigua, and is equipped with two units 1,000 kw. each, direct connected. There are three sub-stations, located at Pittsford, Victor, and Gates. The transmission between power house and sub-stations is a. c. at 18,000 volts. The transmission line is on the company's poles, which are wooden ones. This line extends through the streets of the village of Canandaigua. They have sufficient power for the present requirements of operation, but have no reserve. In case of disablement of one of the units, they would not have sufficient power for full operation on days of heavy travel.

This is a high-speed railroad. The distance between Rochester and Geneva, outside the city of Geneva and the village of Canandaigua, is 36.35 miles.

The express running time between these points, deducting the time in corporate limits, is 58 minutes, making an average running time of 37½ miles per hour, including stops. At times, a speed of sixty miles an hour is made by cars on this road.

The methods of operation employed on this railroad are first class. The company has a train dispatcher's office located at Canandaigua; two dispatchers are employed, working nine hours each. They have a full set of necessary blanks for the proper transmission of train orders and for recording train movements. All orders are written by the dispatcher, and reach the train crews through the agents in the regular method employed on steam railroads. Where telephone orders are received, the motorman writes the order on a blank furnished for that purpose, it is manifolded, and a copy given the conductor, who repeats it back to the train dispatcher, receiving his O. K. Copies of all blanks in use on this road, including application blanks for motormen and conductors, and surgeon's certificates for the same, are submitted with this report. The company has a proper book of rules, a copy of which is also submitted.

The road is equipped with a telephone system, with telephones at each siding. The commercial business of the company is done on this line in addition to the train dispatching.

This road extends between Geneva and Rochester, and is constructed through a populous farming section, with two villages, Victor and Pittsford, on the line. It carries a large number of passengers daily, the maximum number in one day this season being 8,600. One of the reasons for its popularity with the public is the high speed at which its cars are operated. The cars and equipment are A1, and are proper for the speed maintained. The track and roadbed, while not in dangerous condition, could and should be greatly improved. The number of heavy grades and curves are an objectionable feature on a high-speed railroad of this character. The per cent. of grade and degree of curvature should be reduced at a number of these points. Nearly all of the curves have proper elevation, and some of them are equipped with rail braces. One thousand of these are in use on the whole line. The ties in the original construction of this railroad, a large percentage of them remaining, were not such as should have been used on a track over which this class of traffic is carried. All of the original ties should be removed from curves and replaced by standard oak, yellow pine, or cedar.

There are two pin truss bridges, 120 ft.; one riveted pony truss, 105 ft.; one riveted pony truss, 80 ft.; one plate girder bridge, 156 ft.; one lattice girder bridge, 53 ft.; and twelve plate girder bridges ranging from 15 to 35 ft. The structures are in fair condition. One of them rests on pile abutments, which should be replaced by concrete or mason work. As a matter of precaution, a detailed examination of the two pin truss bridges, the riveted pony truss bridge between Rochester and Canandaigua, and the riveted pony truss between Canandaigua and Geneva, should be made by a bridge engineer; a copy of this report on these structures, including the strains, to be submitted to the Public Service Commission. The company has on hand 300 standard, yellow pine ties, and notice of shipment of 1,000 standard, oak ties has been received. They have also 1,000 cedar ties on hand which are not of proper quality to be put in the main line track of this road, and should not be used for that purpose.

All of the sidings, with the exception of one near Canandaigua, are properly equipped with switch stands, targets, and signal lights. All switches are kept locked. The track connection with the New York Central railroad tracks is on a grade descending to the electric road. There should be a derail placed on this connecting track; also one placed in the siding first west of Canandaigua.

The company has five section gangs, consisting of seven men and a foreman; there is one work train operated during the summer season, with from fifteen to twenty-five men. The track maintenance is an important feature of safety of operation on this high-speed railroad, as the speed at which these cars are run, considering the curves and grades on this line, can only be maintained in safety with the most perfect condition of track possible. Special

attention should be given to the elevation, alignment, surface and gauge of curves, and condition of rail braces on them. Nine hundred new ties have been put in in the last eight months, nearly all of which were placed on curves. The highway crossings are properly equipped with crossing signs.

The company has two rotary snow-plows and one nose-plow; cars are equipped with scrapers, and six miles of snow fence are used during the winter season.

The track and roadbed of this line are in fair condition, and the company employs a sufficient track force to maintain it. The weight of rail is proper; the ballast used is good; the ditching through cuts is fair. The per cent. of grades and degree of curvature should be reduced on a number of the grades. A large portion of the ties are not proper for this class of construction.

To improve the safety of operation on this railroad, the following recommendations are made:

That the Public Service Commission, Second District, State of New York, order the Rochester and Eastern Rapid Railway Company:

1. That it remove from its main line track all of the 6-in. face ties which were put in, in the original construction of the road, these to be replaced by standard oak, yellow pine, or cedar ties, oak or yellow pine only to be used on all curves. All curves to be so equipped by May 1, 1908. All the remaining original 6-in. face ties to be replaced by September 1, 1908.

2. That the track on all curves be properly equipped with rail braces. This order to be fully complied with by October 1, 1907.

3. That the grade crossing of the N. Y. C. & H. R. R. R. tracks be equipped with a special work cut crossing, and that a metal trough be placed on the trolley wire extending over the grade crossing of the Northern Central railroad in the village of Canandaigua.

The suggestion is also made that the Public Service Commission, Second District, State of New York, recommend to the Rochester and Eastern Rapid Railway Company:

1. That it place derails in the track connecting with the N. Y. C. & H. R. R. R.; also on the first siding west of Canandaigua, and a proper switch stand on the east end of this siding.

2. That it remove the high tension transmission line from the village limits of Canandaigua.

3. That it construct an additional telephone line along the whole line of its railroad, to be used for train dispatching only.

4. That it cause an examination to be made by a bridge engineer of the bridges on its line, as suggested in this report.

5. That it procure a proper number of new cars to provide for present maximum requirements and future increase in travel on its line.

6. That it procure a sufficient reserve power to insure reliability of operation on its road.

7. That the pile abutment of the bridge mentioned in this report be replaced by concrete or mason work.

8. That all closed cars used in regular passenger service be equipped with toilet rooms.

9. That contemplated changes in the reduction of per cent. of grades and degree of curves be completed as soon as practicable.

A copy of this report was transmitted to the general manager of the company, who submitted in reply a detailed statement of all work in progress, materials ordered and being delivered, and work contemplated. The reply of the company was satisfactory.

ROCHESTER AND SODUS BAY RAILROAD.

I have made an inspection of the Rochester and Sodus Bay Railroad (July 29, 1907), and submit the following:

This line extends from the junction of the Rochester and Irondequoit Park railway near Glen Haven to Sodus Point, a distance of 35.62 miles, nearly all on highways. It is single track, constructed of 60-lb., 60-ft. T rail, except in villages, where 7-in. girder rail is used. On the T rail the splices are four-bolt. The original construction consisted of small cedar and chestnut ties and gravel ballast. On the line there are 36 turnouts, with switch stands and targets only on one end switches. There are 16 wooden structures on the line; no steel bridges. The maximum grade is 5 per cent. for three-quarters of a mile. There are no crossings of steam railroad tracks at grade. There are crossing signs at all highway crossings.

The line is located through one incorporated and eight unincorporated villages. Sodus Point is a summer resort located on Sodus Bay.

The company has available for operation fourteen passenger cars, all closed, nine of which are combination baggage and passengers, five combination smokers; all vestibuled, 45 ft. over all, equipped with air and hand brakes, sand boxes, arc headlights, toilets, and fire extinguishers. There are no wrecking tools. These cars weigh 45 to 46 tons. Four cars used are owned by the Rochester Railway Company. These are 40 ft. over all, vestibuled, with the same equipment as the ones owned by the company, except that there are no toilets. The wheels on all cars operated over the road are steel tired (except two owned by the company), 2¾-in. tread, ⅞ x 1¼-in. flange. Cars are inspected at Rochester each night, and at the different sub-stations. They are also looked over every round trip. The schedule requires eight cars in operation. At times of heavy travel, all of the cars available for operation are in service.

Power is furnished for the operation of this company's road by the Rochester Railway and Light Company. It is transmitted from Rochester to three sub-stations: one at the Float Bridge power house of this company, one at Ontario, and one at Sodus. In addition, the company has a portable sub-station. The company has two storage battery plants to carry the peak of the load and to assist the sub-stations at times of heavy travel: one at Webster and one at Williamson, each of a capacity of 250 kw. for one hour. In the Float Bridge power house the company has two units of 500 hp. each, which are held in reserve. With this reserve, the company has sufficient power available for maximum requirements of operation.

The current is transmitted from Rochester, city line, to the different sub-stations on wooden poles at 11,000 volts. These poles are located from the city line to Float Bridge on the highway, about two miles; then on private right of way for a mile, and on the State road to Union Hill, eight miles; from Union Hill on the R., W. & O. R. R. right of way to Sodus sub-station.

The company has two telephone lines, with jack boxes for each line at each switch. One of these lines it used exclusively for train orders. The train dispatcher's office is located at Rochester; there are two dispatchers, working nine hours each; one has been employed as dispatcher for three years; the other, two weeks. The last mentioned man was employed as motorman about six months. He had previous steam railroad experience.

The train dispatching system is proper and complete, train sheets being used in the train dispatcher's office, and all orders are written in a book when sent. These are delivered at station points by agents in a proper manner, and when received by train crews over the telephone, they are received by the conductor, written in manifold, a copy given the motorman who repeats it back to the dispatcher, receiving his O. K. There are agents located at Rochester, Webster, Ontario, Sodus, and Sodus Point. Register books are located at Sodus Point, Sodus, Ontario, and Rochester. Extra cars are run over the road as sections of regular runs. A car preceding another is equipped with two green flags in the day time and two green lamps at night. Motormen call attention to car following signs by two whistles when meeting oppos-

ing cars, the opposing motorman answers by one. . All cars are properly equipped with oil tail-lights. The company operates one freight train each way daily. These are run as extras and not shown on the time-table. Cars are operated through from Rochester city. The company employs at present 26 motormen and 17 conductors. This road is operated by the Rochester Railway Company, with a superintendent in charge, and motormen and conductors are taken from the city lines as required. No new men are broken in on this line. On regular schedule, trains are operated on hourly and thirty minutes headway. The running time from Rochester to Sodus of limited trains is one hour and fifty-five minutes. Maximum schedule speed, including stops, 19 miles per hour. Spacing rule, two minutes, or 2,500 ft. The company has a printed schedule and standard book of rules. This road is operated in the winter season, and is properly equipped with snow-plows and snow fences.

There are three section gangs employed, covering twelve miles of track. The Rochester section varies for twelve to twenty-five men; other sections from six to twelve men. There is one wire crew and three work trains, the latter a portion of the time draw track material. There are twenty men employed in gravel pits, three men and motorman on each train. Seven thousand new ties were put in this year. Three miles of track have been properly ballasted, surfaced, and aligned. A large portion of the track has been weeded. The whole of this work it is expected will be completed in ten days. The company has available all the ties that can be put in before the winter season. The new ties are standard, yellow pine and oak. Some rail braces are used on curves, but only a small proportion of them are so equipped.

There are no steel bridges on this line; all of the openings are wooden trestles. The inspection of these trestles was commenced from the Sodus Point end of the road and they are numbered consecutively from that point:

1. Ten-foot opening, constructed of 12 x 12-in. pine stringers, with mason work abutment in good condition.

2. Eight-foot opening with 12 x 14-in. stringers on bent abutments.

3. Five-bent opening, two 8 x 16-in. stringers under each rail, resting on timber bents, equipped with guard rails and guard timbers; trestle on a curve; blocking under stringers should be removed and new caps put in.

4. Two timber bent opening, two 12 x 12-in. stringers, guard rails and guard timbers; opening on a curve.

5. Four timber bent trestle, two 8 x 12-in. stringers under each rail; guard rails and guard timbers. This opening at the foot of 4 per cent. grade for 200 ft. and on a curve. This opening should be filled in and the stone arch highway opening extended. There should be a slow sign at the top of the curve.

6. Six pile bent trestle, two 8 x 12-in. stringers under each rail; guard rails and guard timbers; trestle on a tangent and at station where all trains stop; on side opposite station, guard on trestle to prevent passengers from falling from it.

7. Eight pile bent trestle on a curve at the foot of grade at either end; same construction as above; location of this trestle is such that safety of operation requires slow speed over it; there should be batter posts on the outside of each bent; slow signs should be placed at the top of the grade on either side of the trestle; this trestle should be filled in and the stone arch of the highway extended.

8. Fourteen-foot opening, two 8 x 16-in. stringers, resting on timber bents at each end, equipped with guard rails and guard timbers.

9. Fourteen-foot opening, same construction and condition as No. 8.

10. Twelve-foot opening, same construction as above; in poor condition; an extra stringer has been put in; this opening is on a curve; it should be filled in, or reconstructed in a proper manner.

11. Three pile bent opening on a tangent, two 8 x 14-in. stringers under each rail; equipped with guard rails and guard timbers.

12. Six pile bent opening, two 8 x 14-in. stringers under each rail; tangent; guard rail and guard timbers.

13. Eight pile bent opening on a tangent; same construction as No. 12.

14. Six pile bent opening; tangent; same construction as Nos. 12 and 13.
15. Seven pile bent opening on a tangent; same construction as above.
16. Eight-foot opening, 12 x 12-in stringers; on a tangent; blocking placed on top of stringers; structure in poor condition; should be reconstructed.

The track and roadbed of this line have been materially improved since the last inspection. A large number of new ties have been put in, and a large portion of the track has been ballasted, surfaced, and aligned. This work was in progress on the day of inspection.

This is classed as a high-speed railroad, with equipment in A1 condition. Owing to the condition of ties, track and roadbed are not first class. These should be improved by replacing all of the original ties, and safety of operation requires that all curves of three degrees or over be constructed with oak or yellow pine ties, and equipped with rail braces. All switches should be equipped with switch stands and targets. The names of switches should be displayed on a sign with black letters on a white background, reading in each direction, located at the center of the switch, over which there should be a cluster of lamps burning during hours of darkness. There are a number of sharp curves and heavy grades on both the Rochester and Sodus Point ends of this road. With the present method of operation, these are not considered dangerous, but each of them should receive frequent and careful inspection as to elevation and alignment. The safety and comfort of passengers and speed of trains could be increased if the degree of curvature and per cent. of grades at these points were reduced.

To improve the safety of operation on this company's system, the following recommendations are made:

That the Public Service Commission, Second District, State of New York, order the Rochester and Sodus Bay Railway Company:

1. That it equip all the curves on its railroad of two degrees or over with standard, oak or yellow pine ties by May 1, 1908.
2. That all of the original ties used in the construction of this company's track be replaced by ties of standard size by October 1, 1908.
3. That all curves of two degrees or over be properly equipped with rail braces. This order to be fully complied with not later than May 1, 1908.
4. That all switches be equipped with switch stands and targets, and that the names of switches be displayed on a sign reading in each direction, and that lights be kept burning over such signs at all hours of darkness when trains are operated, as suggested in the body of this report. That this order be complied with not later than January 1, 1908.
5. That the eight pile bent trestle described in the body of this report and mentioned as No. 7 be equipped with batter posts, as suggested, within thirty days from the acknowledged receipt of this order, and that slow signs be placed at the top of the grades on either end of the approach to this trestle immediately upon the receipt of this order.
6. That all passenger cars operated on this road be equipped with wrecking tools. This order to be complied with within sixty days from its acknowledged receipt.
7. That all cars operated on this road be equipped with toilets. This order to be complied with not later than May 1, 1908.

The Public Service Commission, Second District, State of New York, also recommends to the Rochester and Sodus Bay Railway Company:

1. That all of the trestles except No. 7 be reconstructed or filled in, as suggested in the body of this report.
2. That a register book be placed at the junction of its line with the track of the Rochester and Irondequoit Park railway near Glen Haven, and all train crews be required to register their arrival and departure to and from that point.
3. That the work of re-ballasting, surfacing, and aligning the track of its line be continued to as speedy a completion as possible.
4. That as far as practicable, and as soon as possible, its track be straightened on each end, near Sodus Point and near the Glen Haven terminal.

5. That while the company has sufficient cars for present schedule requirements, that it secure a sufficient number for present maximum requirements of traffic and to provide for an increased traffic in the near future.

6. That the high tension transmission line be removed from public highways.

A copy of this report was transmitted to the general manager of the company, who replied in detail regarding the recommendations. The reply was satisfactory.

ROCHESTER AND SUBURBAN RAILWAY.

Summerville Division.

I have made an inspection of the Summerville division of the Rochester and Suburban railway (July 29, 1907), and submit the following:

This division of this company's system extends from the north end of the North St. Paul street line of the Rochester railway, at the entrance to Seneca Park, to Summerville, a distance of 4½ miles. It is double track, one track on either side of the highway, except about three hundred feet near Seneca Park, which is single. It is constructed of 58-lb. T rail, originally laid on light cedar ties; four bolt splices. On the line there are three crossings of steam railroads, one at grade and two under crossings. There are no bridges or trestle work. There are no excessive grades.

This road is practically a continuation of a branch of the Rochester railway, and through cars are operated from the city of Rochester to Summerville. The latter is a summer resort on Lake Ontario. At times cars are operated on a 5-minute interval; 20 to 24-ton cars are run, and the speed is not excessive; some of the cars are not equipped with air brakes At the time of the inspection there were twenty men working on track, putting in new ties, surfacing, and aligning.

The grade crossing of the R., W. & O. R. R. is at present equipped with a metal trough on the trolley wire. All cars are required to come to a stop, and conductors go ahead and flag them over the crossing. Plans have been approved by the State Board of Railroad Commissioners for derail switches at this point. These should be put in as soon as possible.

With the exception of the grade crossing of steam tracks, there are no especially dangerous features on this line. Power and cars for its operation are furnished in sufficient quantity and numbers for maximum requirements of operation. The work of renewing ties should be continued.

To improve the safety of passengers on this branch of the company's system, the following recommendations are made:

That the Public Service Commission, Second District, State of New York, order the Rochester and Suburban Railway Company:

1. That it equip its tracks at the grade crossing of the Rome, Watertown and Ogdensburg railroad tracks with derails, in accordance with plans approved by the former State Board of Railroad Commissioners. This work to be completed not later than October 1, 1907.

2. That all curves be equipped with rail braces. This order to be fully complied with not later than May 1, 1908. And it also recommends to the Rochester and Suburban Railway Company that the work of tie renewals be continued, and that all curves be re-tied with standard ties as soon as practicable.

3. That all cars operated on this line be equipped with air brakes.

4. That the single track portion near Seneca Park be double tracked.

Sea Breeze Division.

I have made an inspection of the Sea Breeze division of the Rochester and Suburban Railway Company's system (July 29, 1907), and submit the following:

This division extends from Bay street, in Rochester, to Sea Breeze, a distance of 6 miles. From Bay street to the city line, about 1½ miles, it is single track; is laid in the center of Portland avenue, in which street there is a parallel or second track owned by the Rochester Railway Company. From the city line through the Ridge road, a distance of three-quarters of a mile, it is double track, and on this road there are 5,600 feet of single track with two turnouts. From the end of this single track it is double, on private right of way, to the terminus at Sea Breeze; there being about three miles on highways and three on private right of way. It is constructed of 58-lb. T rail, four bolt splices.

The single track section on the Ridge road is protected by a block signal. There are no excessive grades, structures, or crossings of steam tracks on the line.

This company owns available for operation twelve 15-bench open cars, equipped with air and hand brakes and sand boxes; two double truck cars with same equipment, and two single truck closed cars with single chain hand brakes and sand boxes. Additional cars are furnished by the Rochester Railway Company. Maximum weight of cars, 22 tons.

Power for the operation of this road is furnished by the Rochester Railway Company. in sufficient quantities for maximum requirements of operation. At times, cars are operated on a 5-minute headway, and the rules require them to be spaced so as to stop in the length of vision. Cars are operated through from Rochester city. Outside the city limits, the schedule time for 4½ miles is 18 minutes. This line is operated by the Rochester Railway Company under a division superintendent, and under the rules of that company.

This track and roadbed is maintained by the Rochester Railway Company. It is in fair condition. Some tie renewals are necessary, and there are rail braces on some curves; others should be so equipped.

Sea Breeze is one of the popular summer resorts patronized by Rochester people. The maximum number of passengers carried in one day this season was 8,000. The company has a proper waiting room at Sea Breeze terminus, also an unused station building at Bay street. At the latter point, cars for operation on this division are stored and inspected. At times, there are a large number of people who desire to leave Sea Breeze at one time, this being a stub-end terminal, and accommodation of passengers would be increased if there was a loop terminal constructed at this point.

To increase the safety of passengers on this division of this company's system, the following recommendations are made:

That the Public Service Commission, Second District, State of New York, order the Rochester and Suburban Railway Company:

1. That it equip all of the curves on its Sea Breeze division not so equipped, with rail braces; this order to be fully complied with by May 1, 1908.

That the Public Service Commission, Second District, State of New York, recommends to the Rochester and Suburban Railway Company:

1. That the work of tie renewals at present in progress on this division of the company's system be continued, and that all curves be equipped with standard ties as soon as possible.
2. That a loop terminal be constructed at the Sea Breeze end of this division of the company's system.
3. That the single track portion of this division on the Ridge road be double tracked as soon as possible.
4. That all cars operated on this division be equipped with air brakes.

Copies of these reports were transmitted to the vice-president of the company, and the general manager of the company replied; stating in substance that the recommendations would be complied with as rapidly as possible.

ROCHESTER ELECTRIC RAILWAY.

I have made an inspection of the Rochester Electric Railway (July 30, 1907), and submit the following:

This line extends from the Ridge road, near the city line of Rochester, to Charlotte, a distance of 4¼ miles. It is double track, constructed of 45-lb. T rail, with four-bolt splices, on private right of way, alongside the highway, without fence, to the village line of Charlotte; through the village it is located on either side of the highway, a distance of one mile. On the line there are no excessive grades; there are two crossings of steam roads, both over crossings. At the crossing of the N. Y. C. & H. R. R. R. tracks, there is a lap track for a distance of about 500 feet; this is protected by signals at either end.

The cars operated on this road are owned by the Rochester Railway Company. On account of shortage of power, a number of them are not equipped with air brakes. Cars are inspected in the barns of the Rochester Railway Company.

Power for the operation of this road is furnished by the Rochester Railway Company, and on the date of the inspection there was a shortage of power for maximum requirements of operation. Lines were at that time being constructed, and it was expected that by August 15th there would be a sufficient supply of power to operate all of the cars necessary for the traffic on the line.

The Rochester Railway Company rules govern the operation of this line, which is in charge of one of the division superintendents of that company. Cars are operated on a maximum of one-minute headway, and are properly equipped with oil signal lights. Maximum number of passengers carried in one day on this line during the present season was 18,000. On account of the trees and center pole construction, no open cars are operated. Cars are run through from the city of Rochester to Charlotte. The spacing rule is length of vision.

The track and roadbed of this line are maintained by the Rochester Railway Company, and they are in fair condition. While the rail is 45 lbs., and a large portion of it has been in the track for a number of years, it is not worn, and is proper for the present weight of cars and speed at which they are run.

There are two structures on the line: one over the tracks of the N. Y. C. & H. R. R. R., which is a pony truss in good condition; one a girder deck bridge over the track of the R., W. & O. R. R., which is also in good condition. More passengers are carried on this line than any suburban road entering the city of Rochester. Safety of operation on this road would be increased if the double tracks were continued over the N. Y. C. & H. R. R. R. tracks, and all cars equipped with air brakes. Comfort and convenience of passengers would be increased if a loop track were constructed at the Charlotte terminus, to accomplish which the following recommendations are made:

That the Public Service Commission, Second District, State of New York, order the Rochester Electric Railway Company:

1. That it construct double tracks over the N. Y. C. & H. R. R. R. tracks where there is a lap track at present. This construction to be completed not later than May 1, 1908.

2. That after May 1, 1908, no cars shall be operated on this line unless equipped with air brakes.

That the Public Service Commission, Second District, also recommend to the Rochester Electric Railway Company:

1. That it construct a loop track at the Charlotte terminus of its line.

A copy of this report was transmitted to the general manager of the company; and later a copy of the report was submitted to the general manager of the Rochester Railway Company. Reply was received from the latter saying that the recommendations would be complied with.

PENN YAN, KEUKA PARK AND BRANCHPORT RAILROAD.

I have made an inspection of the Penn Yan, Keuka Park and Branchport Railroad (August 13, 1907), and submit the following:

This line is a single track, and extends from the Northern Central division of the Pennsylvania railroad in Penn Yan to Branchport, a distance of 8.6 miles, all on streets and highways except 2 miles, which is on private right of way.

It is constructed of 70-lb T rail, except ¾ of a mile, which is 60-lb. "seconds" rail; and 1,100 feet of 6-in. girder rail in the village of Penn Yan. Four bolt splices. There are eleven turnouts. The maximum grade is 4 per cent. for ¾ of a mile. There are no crossings of steam tracks. At Penn Yan the track connects with the tracks of the Northern Central division of the Pennsylvania railroad.

The company has six cars available for operation: three 10-benches, three closed; 32 ft. over all. One freight motor. All cars single truck, equipped with single chain brakes. There are no sand boxes on the cars. Tread on wheels, 3 and 3½ in.; flanges 1 in. Cars are housed, inspected, and repaired at the power house.

On the through schedule, cars are run on 50-minute headway, with a short line between Penn Yan and the Club House (which is about half way on the line) on 25-minute headway. Extra cars are run as sections of regular. No signals are carried indicating "car following". The road is equipped with telephone line, with telephone at switches. The company has no book of rules, and no schedules. Foreign cars are hauled over the road by the freight motor, only one car at a time being taken up the 4 per cent. grade. From the top of the hill, trains of five cars are operated to Penn Yan. There are three, and at times four, men in the freight crew. Freight is run as extras.

There are no oil tail-lights used except during the fall season, when the freight operates after dark, when oil tail-lights are then used on all cars. Mail is carried on regular cars. About 1,200 cars of freight were handled during the past year. This freight consists of hay, fruit, and grain. The maximum number of passengers carried in one day this season was one thousand. This road is operated during all seasons of the year.

The section force averages five men. During the past two years 3,500 new ties have been put in. The company has about 800 white oak and chestnut 6 x 8 in., 8 ft. ties on hand which it expects to put in this year. All the original 5 x 7 in. cedars have been replaced on the heavy grades, and all curves have been re-tied, and about five ties to the rail have been added. Nearly all the curves are braced.

The examination of structures was commenced at the Branchport end, and are numbered consecutively from that point:

1. Six pile bent with 12 x 14-in. stringers under each rail, in very poor condition, with caps in poor condition; this trestle is on a tangent, equipped with guard rails and timbers; bents are 10-ft. centers; the whole trestle is in poor condition.

2. Six-foot opening, six 12 x 1½-in. pieces under each rail, on dry stone abutments opening on curve and on a 6 per cent. grade; this structure should be reconstructed.

3. Twelve-foot opening, hewed oak stringers on new mason work abutments; structure on tangent, in good condition.

4. Sixteen-foot opening, 12 x 16-in. oak stringers on new mason work abutments; abutments on a skew; structure on curve; no guard rails; structure in good condition; should be equipped with guard rails.

5. Eighteen-foot opening, timber bents 14-ft. centers, with mud sills; two 8 x 12-in. stringers, bents with batter posts; stringers on dry stone abutments with blocking; structure on tangent, in poor condition; should be reconstructed.

This road has been materially improved since the last inspection was made. It is at present in fair condition of surface and alignment. The work of repairing the track should be continued, and at points where grass has been

allowed to grow above the rail, it should be removed, especially on the heavy grades. From the college to the ice house, the line is located along the lake shore, with a steep bank, and at the foot of an extensive watershed. There are a number of waterways, which during the spring and at times of heavy rains must be watched closely. There are several switches with grades descending to main line tracks, on which at times foreign cars are placed. These should be equipped with derails to prevent cars from running on to the main track. New abutments have been put in on several of the structures. The operation of foreign cars necessitates better construction of structure than would be needed for the regular passenger operation of the road. The methods of operation could be considerably improved, and it is necessary this should be done. The company has sufficient power for maximum requirements of operation.

To increase the safety of operation on this road the following recommendations are made:

The Public Service Commission of the Second District of the State of New York order the Penn Yan, Keuka Park and Branchport Railroad Company, as follows:

1. That the freight motor be equipped with air brakes, and that all foreign cars drawn by it, which are equipped with air brakes, be coupled so that the motorman can control the brakes on all the cars in the train. This order to be complied with within sixty days from the acknowledged receipt.

2. That the pile trestle near Branchport be entirely reconstructed, or replaced by a steel structure. This work to be completed not later than May 1, 1908.

3. That the switch at the ice house, Hanford's switch, power house switch, and Bluff Point switch, be equipped with derails in such a manner as to prevent cars which may be left on them from running on to the main track. This order to be complied with not later than January 1, 1908.

4. That it prepare, in book form, and distribute to its employees a proper set of rules. That it prepare a proper running schedule. That it install a proper system of train dispatching. All to be approved by this Commission. This order to be completely complied with before the excursion business of next season commences, May 1, 1908.

And that the Public Service Commission of the Second District of the State of New York recommend to the Penn Yan, Keuka Park and Branchport Railroad Company as follows:

1. That the work of surfacing, aligning, and weeding of the track be continued to as speedy a conclusion as possible.

2. That all of the original ties be replaced as soon as practicable.

3. That the most careful attention be given the waterways under the track along the lake bank during the spring season and at times of heavy rains.

4. That tail-lights be used on all cars during hours of darkness

5. That when a car is followed by another, that it be equipped with proper "car following" signs.

6. That the structures on the line, except the pile trestle near Branchport, be reconstructed and equipped as suggested in the body of this report, as soon as possible.

A copy of this report was transmitted to the general manager of the company, who replied, objecting to some of the recommendations; the matters in dispute are being arranged.

HORNELLSVILLE ELECTRIC RAILWAY.

I have made an inspection of the Hornellsville Electric Railway (August 13, 1907), and submit the following:

This line is located in the city of Hornell, and consists of 3½ miles of track, one mile of which is 48-lb. and 56-lb. T rail, the other portions 4½-in. girder rail. On the line there are four bridges, all of which are proper for the present weight of cars operated over them.

On Taylor street, the line crosses five tracks of the Erie railroad with special work cut crossings in good condition.

There are two city lines operated, one of 12-minute and the other 30-minute headway.

The track is in very poor condition: rail worn, joints low and loose. The cars need painting.

To improve the conditions on this line, the following recommendations are made:

That the Public Service Commission of the Second District, State of New York, order the Hornellsville Electric Railway Company, as follows:

1. To place metal trough on trolley wire extending over the grade crossing of the Erie railroad tracks on Taylor street.

The Public Service Commission of the Second District, State of New York, recommends to the Hornellsville Electric Railway Company, as follows:

1. That as soon as practicable it reconstruct the girder rail portion of its track in the city of Hornell.

2. That it paint and properly repair all of the cars operated by it.

A copy of this report was transmitted to the general manager of the company, who replied that the recommendations would be adopted by the company, but that exception was taken to the order regarding the Taylor street crossing; the company proposed to discontinue the use of this crossing at an early date.

HORNELLSVILLE AND CANISTEO RAILWAY.

I have made an inspection of the Hornellsville and Canisteo Railway (August 13, 1907), and submit the following:

This line, which is a single track, extends from the city of Hornell to Canisteo, a distance of 5 miles. It is constructed of 40-lb. T rail, with four-bolt splices. All on private right of way except three-fourths of a mile in Canisteo. The maximum grade is 3½ per cent. for 1,400 ft. There are four turnouts and seven structures on the line.

Glenwood Park, a summer resort, is located about half way on the line, and excursions are run from Hornell and Canisteo to this park.

Cars are furnished for the operation of this road by the Hornellsville Electric Railway Company. They are housed, inspected, repaired, and cleaned in the latter company's car barn in Hornell. Maximum weight of cars operated, fifteen tons. All cars are equipped with single chain hand brakes and sand boxes; tread of wheels, 2¾-in.; flanges, ¾-in. All box cars are equipped with electric heaters.

Power is bought in sufficient quantities for maximum requirements of operation.

Trailer cars are used; trains of only two cars are operated. When this is done, there are two men on trailers.

The company has telephones at switches. These telephones are not owned by the company. Motormen and conductors are furnished by the Hornellsville Electric Railway Company. Cars are operated on 45-minute headway; running time 33 minutes. No oil tail-lights are used. The company has a running time-card; no book of rules. All switches are equipped with switch stands and targets, but no lights. Maximum number of passengers carried in one day this season, about three thousand.

The inspection of structures on this line was commenced at the Canisteo end, and they are numbered in this report consecutively from that point:

1. Twelve-foot opening, with timber bents, 10 x 12-in. stringers with mudsills; equipped with guard timbers; structure on tangent.

2. Six-foot opening, 12 x 12-in. stringers on timber bents; no cross-ties, rail laid on stringers; opening on tangent.

3. Five timber bent trestle over roadway; stringers, two 8 x 12-in. under each rail, resting on mudsills on the east end and on dry wall on the west

end; bents constructed of uprights and batter posts; timber 8 x 12-in. pine, with 12 x 12-in. caps and sills; bents 16-ft. centers, with lateral and end bracing; trestle on tangent, and on a 2 per cent. grade descending east, with a curve on each approach; there are no guard rails, and guard timbers in poor condition. This trestle is in fair condition; should be equipped with guard rails, and guard timbers should be repaired. The structure should be replaced by a steel one in the near future.

4. Six timber bent trestle; bents of 16-ft centers, constructed of 8 x 12-in. uprights, with batter posts, 6 x 12-in. uprights, and batter posts bolted to sills and caps; bents braced; stringers, two 6 x 12-in. under each rail. Maximum height of structure, 35 feet. Two center sills on rock foundation, the others on mason work. All timbers of pine; trestle equipped with guard timbers; these are in poor condition. There are no guard rails. The approach on the west end is on a curve, and on a 1 per cent. grade descending to the west; the east approach is level, and is on a tangent. At the time of inspection, men were at work repairing this structure. It is in fair condition. It should be equipped with guard rails. The guard timbers should be repaired, and speed of cars over it should be slow. This structure should be replaced by a steel one in the near future.

5. Twenty-foot opening on a curve, on a 1 per cent. grade descending west; constructed of one 12 x 12-in. and one 6 x 12-in. stringers bolted together under each rail, resting on timber bents with batter posts; guard rail on inside rail and guard timbers in poor condition. While this structure is suitable for the present weight of cars and the speed at which they are operated over it, it should be replaced in the near future by a steel structure. and while allowed to remain, guard timbers on it should be repaired.

6. Ten-foot opening on a tangent; 12 x 12-in. stringers on timber bents; in fair condition.

7. Eight-foot opening; same construction as above; in fair condition.

The company has a section gang consisting of four men who work on this line and the Hornellsville Electric railroad. Twenty-five hundred new ties have been put in this year; 6,000 ties last year. There are rail braces on all curves. On portions of the line grass is above the top of rail. The surface and alignment of the track are poor. On the heavy grades and high banks the guard timber is rotted and is of no use for the purpose for which it was originally put in place. The fencing is in very poor condition.

The dangerous features on this line are the location of the track on the high, steep bank along the highway, with several curves on the heavy grades. The methods of operation could be improved by the introduction of a proper train dispatching system and the adoption of a proper set of rules. While the structures on the line are not at present in dangerous condition, they should be replaced in the near future with steel structures; and while allowed to remain, cars should be operated over them at a slow rate of speed.

To increase the safety of operation on this road the following recommendations are made:

That the Public Service Commission of the Second District of the State of New York order the Hornellsville and Canisteo Railway, as follows:

1. To surface, ballast, and align its track; this order to be fully complied with by May 1, 1908.

2. That it place a guard rail on the inside rail on the heavy grades at all points where the guard timber was originally placed; this order to be complied with by May 1, 1908.

3. That it install a telephone line on its system, with direct communication with the superintendent's office in the city of Hornell. That it install a proper system governing the moving of cars by train orders, to be used by the superintendent, or by some one delegated by him for that purpose. That it compile and furnish to its employees a proper set of rules in book form. This order to be fully complied with by May 1, 1908.

The Public Service Commission of the Second District of the State of New York recommend to the Hornellsville and Canisteo Railway Company, as follows:

1. That it immediately place a sufficient force on its line to complete the weeding.

2 That it continue the work of adding new ties until all of the original ties are removed from the track.

3. That it place slow signs at the approaches at either end of the two trestles and the twenty-foot bridge, and order all cars to run slowly over them.

4. That it place guard rails and renew guard timbers on the structures as suggested in the body of this report.

5. That all cars operated during the hours of darkness be equipped with oil tail-lights.

6. That a proper fence be built on either side of the company's right of way.

A copy of this report was submitted to the general manager of the company, who replied that the recommendations would be complied with; and later, has reported progress.

ELMIRA AND SENECA LAKE RAILWAY.

I have made an inspection of the Elmira and Seneca Lake Railway (August 13, 1907), and submit the following:

This line extends from Watkins to Horseheads, a distance of 16½ miles, all on private right of way except through the villages. It is constructed of 50-lb. T rail, with six-bolt splices; original ties 4 x 7-in. The road has been re-tied with 6-in. face by 8-ft. chestnut and oak, 22-in. centers. Rail braces on all curves. There are nine turnouts on the line. Two crossings of steam tracks at grade. The maximum grade on the line is 4 per cent for 30 feet, and on the other portions of the line the maximum grade is 2½ per cent.

The company owns ten cars: two 13-bench; two 15-bench; six closed; 44 x 42 ft. over all; two of them are combination baggage and passenger; all are vestibuled; all cars equipped with air, hand brakes, and sand boxes; steel tired wheels; the maximum weight of cars, 26 tons. Two of the cars are housed in the city of Elmira and the balance at Millport. Cars are overhauled when necessary in the city shops, and daily inspections are made at both Elmira and Millport. Closed cars are equipped with hot-water heaters. Three cars are required on the schedule.

The power is furnished by the Elmira Water, Light and Railroad Company. There is one transformer station, at Millport. The company has sufficient power for the maximum requirements of operation, but has not sufficient feeder between Millport and Seneca Lake. Transmission is made at 11,000 volts, and the transmission line is placed on the company's poles, and is not located on any of the main streets in the city of Elmira. At Millport, the company has a reserve of two power units: one 250, and one 200 kw.

Cars are run in sections, carrying signals. No trailers are used. Cars are run through from Elmira to Watkins. The company has a telephone line, with telephones at four switches. All switches are locked and equipped with switch stands, targets, and signals. The road is equipped with a block signal system. There is no train dispatching system in use. Six crews are required for the regular schedule operation. Motormen and conductors are taken from city line. No new men are broken in on this line. Switch numbers are displayed at switches. Oil tail-lights are used on cars. The company is preparing a book of rules. Cars are operated on hourly schedule, running time one hour and twenty minutes. The maximum number of passengers carried in one day this season was 4,722.

Blue prints showing the details of the construction of the different structures on this line are submitted with this report. The inspection of these structures shows that on several of them the dry wall abutment should be replaced by concrete. One of the street bridges in Montour Falls is too narrow to permit of the passage of a vehicle and car. This bridge should be replaced by one with a wider driveway.

The trestle work near the Horseheads end of the line should be repaired, and provision should be made to replace it by a steel structure in the near future. The "half-way bridge," near Millport, and Sloan's bridge appear too light for the weight of the cars and the speed maintained. These should be examined by a bridge expert and copy of his report submitted to the Public Service Commission of the Second District of the State of New York.

This road has recently been reconstructed, and with the exception of the track through the villages, is in good condition. The rail is light, but in the manner in which it is maintained, is of sufficient weight for the class of cars operated and the speed maintained. The fencing is very poor. The highways are equipped with signs and cattle guards. The cars and equipment are first class, but the methods of operation could be improved. At present, dependence is placed upon the block signal system for the safety of the movement of cars. This is an unreliable method of operation.

To increase the safety of operation on this line, the following recommendations are made:

That the Public Service Commission of the Second District of the State of New York order the Elmira and Seneca Lake Railway Company, as follows:

1. That it prepare a proper running schedule, showing run numbers, termini, meeting, and intermediate points; that it prepare a proper set of rules, in book form, to be furnished the employees; that it install a proper system of train dispatching; that all cars operated as regular cars carry run numbers; cars followed by another to cary "car following" signs, properly illuminated at night; that telephones or telephone connections be placed at all switches; that register books be placed at each terminus, and at Millport, and all crews on this line register arrival and departure at these points, no crews to leave a register station without a clearance card.

2. That it equip all of its closed cars operated on this line with wrecking tools. That all of the above orders be complied with not later than May 1, 1908.

3. That metal troughs be placed on the trolley wires extending over the two grade crossings of the steam tracks, one in Montour Falls and one in Horseheads. This order to be complied with within sixty days from acknowledged receipt.

And that the Public Service Commission of the Second District of the State of New York recommend to the Elmira and Seneca Lake Railway Company, as follows:

1. That it comply with the suggestions contained in this report as to structures, in reference to examination of bridges by a bridge expert, a copy of whose report shall be sent to this Commission.

2. That it replace the highway bridge in Montour Falls, which is at present too narrow for the street traffic, with a new bridge.

3. That it repair the fence along the line of its road.

4. That guard rails be placed on a number of the sharp curves, especially those on fills.

5. That an additional feeder line be constructed between Millport and Watkins.

A copy of this report was submitted to the general manager of the company, who replied that all recommendations have been or are being complied with; that new abutments have been put in bridge at Montour Falls; that a rotary had been installed at the power house; and that a block signal system had been put in, and telephones at all switches.

ELMIRA WATER, LIGHT AND RAILROAD COMPANY — HORSEHEADS DIVISION.

I have made an inspection of the Horseheads division of the Elmira Water, Light and Railroad Company (August 13, 1907), and submit the following:

This division of this company's system extends from Horseheads to Elmira, a distance of 6 miles, all on streets and highways. It is constructed of 60-lb. T rail, and 1½ miles of girder rail 9 in. and 6 in., about 4,000 feet of 6 in. There are two crossings of steam tracks on the line, both at grade. In the city of Elmira there are 4,000 feet of double track.

In Horseheads, this line crosses the single track of the Elmira and Cortland branch of the Lehigh Valley railroad. This crossing is equipped with derails in the electric tracks; there is no trough on trolley wire. In the city of Elmira, this line crosses two tracks of the D., L. & W. R. R. This crossing is protected by gates, and the company was relieved from the use of derails at this point by the former Board of Railroad Commissioners. There is no metal trough on the trolley wire on this crossing.

The Elmira and Seneca Lake through cars are operated over this line; the track is in poor condition. There are a number of low joints, and the surface and alignment is in poor condition. While the track is not in a dangerous condition, the comfort of the passengers would be increased if it were repaired.

To increase the safety and comfort of the passengers on this line the following recommendations are made:

That the Public Service Commission of the Second District of the State of New York order the Elmira Water, Light and Railroad Company, as follows:

1. To immediately repair the track of its Horseheads line by raising the low joints and surfacing and aligning the track.

2. That it place metal troughs on trolley wires over the two grade crossings of the steam tracks on the Horseheads line, one in the city of Elmira and the other in the village of Horseheads.

This order to be complied with within sixty days from the acknowledged receipt.

A copy of this report was transmitted to the general manager of the company, and reports have been made showing that all recommendations have been complied with.

WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY.

I have made an inspection of the Western New York and Pennsylvania Traction Company's system (August 13, 1907), and submit the following:

Bolivar Division.

This division, which is single track, extends from Olean to Bolivar, 18 miles, 4 miles of which is on private right of way. On the line there are 14 turnouts. On the private right of way turnouts are equipped with switch stands and targets, no signal lights; switches are not locked. From Olean to Portville, 6½ miles, the track is constructed of 60-lb. T rail; from Portville to Bolivar, 11 miles, it is constructed of 58-lb. rail. All the track between Olean and Bolivar has four-bolt splices. Oak, chestnut, and cedar ties, 6 x 7-in. face by 8 ft. Ballasted with gravel and cinders.

Portions of the right of way are fenced, and there are some cattle guards. There are rail braces and guard rails on some of the curves. There are six crossings of steam tracks: one over, one under, and four at grade. The maximum grade on the line is 6 per cent. for 700 feet.

The company owns, available for operation, 52 cars: 21 closed, double truck; 4 double truck, open, twelve-bench; 6 single, open; and 21 single truck, closed; all closed cars are vestibuled; all double truck cars have air brakes and sand boxes; all cars have arc headlights; the tread of wheels is 3 in.; flange, ⅞ in. The company has sufficient cars for maximum requirements of operation; cars are housed, cleaned, inspected, and repaired in Olean.

Cars on this line are operated on one hour and twenty minute headway; running time, one hour and fifteen minutes. Two cars are required on the schedule, and in addition there are two cars of the Shingle House line operated between Olean and Ceres, making at times four cars in operation on portions of this division; cars meeting at arbitrary meeting points. Company has a book of rules and printed schedule. There is no telephone system. The line is equipped with manual block signal system. Riverhurst, a picnic ground, is located 3½ miles from Olean. At times of heavy travel, cars are run between these points on fifteen-minute headway. The spacing rule is 2,000 ft. Cars are equipped with oil tail-lights. Twenty-two crews are required in the operation of the whole system. The more experienced men are placed on the suburban lines.

The company has a power plant at Ceres: two gas units, 500 hp. each. Transmission is made at 19,100 volts; transmission line is on a separate pole line around all villages, and is not on any of the principal streets in the city of Olean. The company has a reserve of two units of 225 kw. each at Ceres, and one unit of 250 hp. at Olean. They are putting in two units of 500 hp., and when these latter are completed, the company will have sufficient power for the maximum requirements of operation.

A large portion of track of this division has recently been surfaced and aligned. On the date of inspection a gang of fourteen men were surfacing and aligning track and ballasting, with a work train. The track between Olean and Ceres is in good condition. From Ceres to Bolivar it is in poor condition of alignment and surface. At very few points is the grass above the rail, but it needs weeding. A large portion of the ties are in good condition. A large number of new ties have been put in, these are all standard sizes, oak and yellow pine.

The examination of structures was commenced at the Bolivar end of this line, and they are numbered consecutively from that point. The steel bridges on this line are at present being examined by a bridge expert. A detailed description of them and the expert's report on their condition will be submitted later.

1. (In Bolivar) thirty-five-foot opening, two 12-in. iron girders under each rail with lateral braces, mason work abutments alongside highway bridge; opening on tangent; the structure in good condition; should be equipped with guard rails.

2. Eight-foot opening, 12 x 12-in. stringers on timber bents; opening on tangent; in good condition.

3. Fourteen-foot opening, two 12-in. iron girders bolted together on mason work abutments; rail laid and fastened on girder, no cross-ties; in good condition.

4. Eight-foot opening, 12 x 12-in. girders on mason work abutments; opening on tangent; good condition.

5. Fourteen-foot opening, 12 x 12-in. girders on mason work abutments; tangent on 1 per cent. grade; should be equipped with guard rails; good condition.

6. Twenty-foot opening, one hewed timber under one rail, and two under the other; on timber bent with batter posts; structure on tangent; structure in poor condition; should be repaired immediately, and should be equipped with guard rails.

7. Truss bridge, 14-in. stringers; bridge on tangent; this bridge should be equipped with guard rails.

8. Eighteen-foot opening, hewed timber and four 8 x 14-in. stringers, on pile bents; structure in poor condition; should be repaired and equipped with guard rails.

9. Fourteen-foot opening, 6 x 12-in. stringers on dry wall abutments; on tangent; this structure is not in first-class condition; should be replaced in the near future; should be equipped with guard rails.

10. Ten-foot opening, one hewed timber and one 12 x 12-in. stringer on timber bents; opening on tangent; in fair condition.

11. (In Portville) truss bridge; mason work abutments.

12. Eight-foot opening; on curve; 10 x 14-in. stringers and one 8 x 14-in. under each rail, on pile abutments, with guard rail on inside rail; this structure is at the foot of 2 per cent. grade; good condition.

14. Pony truss bridge, on tangent at the foot of 2 per cent. grade.

15. Eight-foot opening, 12-in. iron girders on mason work abutments; structure on tangent; good condition.

16. Eight-foot opening, 10-in. iron stringers, mason work abutments; structure on tangent; good condition.

17. Five pile bent; two 6 x 14-in. stringers, and trestle laterally braced; structure on a curve; the track on the approaches should be leveled; this trestle is in Olean; good condition.

Eighteen and 19 are bridges in the city of Olean, on which reports will be furnished by the company later.

At the crossing of the two "Y" tracks of the P., S. & N. R. R., where there are cut crossings in good condition, there should be a metal trough on the trolley wire extending over both of these crossings.

The special work of the unused crossing between Portville and Olean should be removed. The crossing of switch tracks of the Pennsylvania railroad near Olean, at which point there is a cut crossing, there should be a metal trough placed on trolley wire extending over the crossing.

There should be derails placed on all switches which have grades descending to the main line track, and on which cars are at times stored.

Bradford Division.

This line, which is single track, extends from Olean to Bradford. Eleven miles of it is located in the State of New York.

It is constructed of 70-lb. T rail, with four-bolt splices, all on private right of way. The maximum grade on line is 3.3 per cent. for about seven miles, except on the curves where the per cent. of grade is less. The total rise from the Allegheny river to the summit, 929 feet. There are a large number of curves, all of which have good alignment and proper elevation; some are equipped with guard rails. The line is equipped with a block signal system. No cars are operated on this line except those equipped with air brakes.

This line has recently been re-located and reconstructed. It is one of the best constructed lines in the State of New York. It is located on the mountains, and in order to make the elevation, is built in the form of a loop. It is well ballasted, a portion of it being ballasted with white, broken stone, which gives the track a fine appearance. There is a derail about half way and above the loop for the purpose of stopping a runaway car. The company intends putting in another derail below the loop.

Cars are operated on hourly headway. Running time from Olean to State line, 45 minutes. Four cars are required on schedule.

The city line consists of 2½ miles of 70-lb. T rail. On it there are no bridges. On Union street it crosses four tracks of the Pennsylvania railroad, with cut crossings and metal troughs. On Main street it crosses one switch track of the Pennsylvania railroad with cut crossing. There is no trough on trolley wire.

The company is at present completing the construction of a line from Olean to Salamanca. It is expected that this line will be in operation in the near future. When cars are in operation on this line, the company will have four suburban divisions, at which time they should arrange a complete system of train dispatching. For this reason, no suggestion on that subject is made in this report, but a supplemental report will be submitted after operation has commenced on the Salamanca extension.

To increase the safety of operation on this company's system, the following recommendation is made:

That the Public Service Commission of the Second District of the State of New York recommend to the Western New York and Pennsylvania Traction Company, as follows:

1. That it equip all of its grade crossings of steam tracks with metal troughs on the trolley wire.

2. That all of its suburban cars, especially those operated on the Bolivar and Bradford divisions, be equipped with wrecking tools and fire extinguishers.
3. That all of the structures be replaced, repaired, and equipped as suggested in this report.
4. That it equip all highway crossings on its suburban divisions with crossing signs.
5. That all of the facing curves on the Bradford division be equipped with guard rails.
6. That derails be placed on switches as suggested in this report.
7. That the fencing on the Bolivar and Bradford divisions be repaired.

A copy of this report was transmitted to the president of the company, who replied that the improvements suggested would be made.

Salamanca Division.

November 14th I made an inspection of the Salamanca branch of the Western New York and Pennsylvania Traction Company, and submit:

This branch extends from the end of the Allegany line of this company's system at Allegany to Salamanca, a distance of 15 miles, all on private right of way except 3.2 miles on highways and 1.7 miles in the village of Salamanca. It is constructed of 70-lb. T rail, with four-bolt splices; ties, oak and chestnut; gravel ballast. Maximum grade on the line is 4 per cent. for 450 feet, except in Salamanca at the under crossing of the Erie railroad, where it is 5 per cent. for 200 feet; and on New street in that village, where there is a 6 per cent. grade for 200 feet.

On the line there is one grade and two under crossings of steam railroad tracks. The grade crossing, which is at East Salamanca, is protected by derails, and metal trough on the trolley wire. There are five turnout switches and five bridges on the line. All of the bridges are new ones, designed for two 50-ton cars.

Cars run from the Pennsylvania railroad in Olean to the north end of the Allegheny river bridge in Salamanca, 19.1 miles. The track and roadbed of this extension is first class. The company has ordered switch stands and targets for all switches on this extension. The company is completing the construction of cattle guards at highway crossings, also has crossing signs on hand, which will be placed at these points in the near future. The fencing on the right of way is at present being completed. The company should equip all bridges and some of the curves on the high banks and fills with guard rails.

Supplemental Reports.

The single track of the Allegany division of the Western New York and Pennsylvania Traction Company crosses at grade one main line and one siding of the Pennsylvania railroad; 123 feet west of this crossing the electric track crosses one main line track of the Erie railroad. The latter crossing is protected by derails in the electric track on either side of the Erie railroad. A blue print showing the lay-out at these two crossings is submitted.

Safety of operation at these crossings would be increased if the derail on the east side of the Erie crossing was moved to the east side of the Pennsylvania crossing, and the lever for the operation of the same was placed between the Erie and the Pennsylvania tracks, from which point an unobstructed view can be had of the tracks of both railroads.

The recommendation is made that this Commission order the above change.

The Western New York and Pennsylvania Traction Company is extending its track from the present operating terminus of the Salamanca division, in Salamanca, to Little Valley, a distance of 9 miles. When this extension is completed, this system will consist of 105 miles of track, of which 71 miles will be in the State of New York. On the system there are four suburban lines, and five city lines of cars operated: two city lines in Olean, two in Bradford, and one in Salamanca.

All of the suburban divisions are equipped with a manual operated block signal system, and cars are operated when off schedule time, depending entirely upon the signal system. This is not considered a safe method of operation. The signals should be used only as an auxiliary to a proper method of operating trains by train orders when off regular schedule time.

To improve the safety of operation on this company's system, the following recommendations are made:

That the Public Service Commission, Second District, State of New York, order the Western New York and Pennsylvania Traction Company, as follows:

1. That it prepare and distribute to employees a proper printed running schedule for each suburban division of its system, such schedule to show the time at termini, intermediate, and meeting points.

2. That it prepare a proper method of train dispatching for use on all of its suburban lines, the details of which to be submitted to this Commission for its approval by January 1, 1908.

Copies of these last reports were transmitted to the president of the company, who replied that the company would comply with the recommendations; and later, that improvements had been completed.

GENEVA, WATERLOO, SENECA FALLS AND CAYUGA LAKE TRACTION COMPANY.

I have made an inspection of the Geneva, Waterloo, Seneca Falls and Cayuga Lake Traction Company's system (August 13, 1907), and submit the following:

This line is single track, extending from Geneva to Cayuga lake, a distance of 13.5 miles, all on streets and highways except 1½ miles. It is constructed of 40, 48, and 56-lb. T rail, with four-bolt splices, with 70-lb. girders through the villages. On the line there are three grade crossings and one under crossing of steam railroad tracks. The maximum grade on the line is 8 per cent. for 50 ft.

There are six turnout switches. In the city of Geneva there are two branch lines: one extends from the main line to the Lehigh Valley depot, one mile, constructed of 6-in. girders and 70-lb. T rail; the other extends from the main line to the end of Pultney street, one mile, constructed of 73-lb. girders and 48-lb. T rail. In the village of Seneca Falls, the line crosses the Seneca river and the Erie canal.

The company owns 24 cars available for operation: Nine 10-bench motors; four trailers, 10-bench; six 18-ft. closed cars; one 18-ft. combination baggage and passenger; three 16-ft. closed; all single truck; one double truck closed car, one snow-plow motor, two flat cars; all of the cars are equipped with single chain hand brakes, sand boxes on all closed cars; wheels are 2½ in. tread, ⅞ in. flange. Maximum weight of cars, 6 to 8 tons.

The company's power house is located in Waterloo, about midway on the line. It is a brick building, 90 ft. by 60 ft., with boiler house addition, equipped with two units, 300 hp. each, belted to two G. E. m.p. 200 kw. generators each, all direct current 550 volts. Boiler house equipped with four 125 hp. tubular boilers. One unit sufficient for regular schedule requirements.

At the Cayuga lake terminus the company owns 50 acres of land, on which Cayuga lake park is located. This park is 3½ miles from the center of Seneca Falls. Cars are operated between Geneva and the park on 30-minute headway; the running time between these points is one hour and fifteen minutes; from Geneva to Seneca Falls, one hour. The city line in Geneva is operated on 20-minute headway. On Sundays, holidays, and days of unusually heavy travel, trains consisting of motor and one trailer are run. When this is done, there are two men on each car. During the hours of heavy travel, trippers are run between Seneca Falls and the park. When extra cars are run, they are run as sections of regular runs. When they are run in this manner, cars carry the proper signals indicating "car following". All cars are equipped with oil tail-lights during hours of darkness.

The company has no telephone system. There is one section of the line, between the power house and the first switch west of it, a distance of about one mile, protected by block signal system. There is no dispatching system in use on this road. Cars lay on switches fifteen minutes and then proceed. The company has no printed schedule. It has a book of rules. There are three passing points on the 30-minute schedule when cars are operated through to the park. On winter schedule, there are four meeting points.

The company employs regularly, nine motormen and nine conductors. The extra men necessary for summer operation live along the line of the road, and most of them have worked as extra men for several years. These latter are employed as conductors and brakemen on trailer cars, and are never given charge of a motor car. All cars are housed at the car barn at the power house. They are overhauled when necessary, and inspected every night. The maximum number of passengers carried in one day this season was 9,000.

On the date of the inspection, the company had a section gang of eight men and foreman. During the past two years nearly all the line between Geneva and Waterloo has been re-tied; 20 per cent. new ties have been put in between Seneca Falls and the park. The company has arranged to put in 10 per cent. new ties this season between Waterloo and Seneca Falls. On the curves, oak ties 6 x 7 in. by 8 ft. are used; and on tangent, yellow pine of the same dimensions. Some weeding has been done, but on portions of the line grass is above top of the rails.

The bridge over the Seneca river has recently been inspected by a bridge expert, whose report forms part of the records of the former Board of Railroad Commissioners. This report shows that this bridge is of proper strength for the loads which pass over it.

The bridge over the canal in the village of Seneca Falls should be examined by the Public Works Department of the State of New York.

The structures on this line were examined and numbered commencing at Seneca Falls:

1. Thirteen-timber bent trestle, with batter posts; timbers 10 x 10 in. pine, including sills and caps; 15-ft. centers, with an additional temporary two post bent between each timber bent; stringers, two 8 x 16 in. under each rail; square oak ties; trestle on curve, with guard rails and guard timbers. This trestle is located along the side of the highway, and is of sufficient strength to carry the maximum weight of cars used at the speed at which they are now operated.

2. Eight-foot opening; three 6-in. girder rails bolted together under each rail, resting on mason work abutments; opening on a tangent; in good condition.

3. Eight-foot opening; two 8 x 12-in. stringers, on stone abutments; opening on tangent; in good condition.

4. Ten-foot opening; three 6 x 12-in. stringers, on mason work abutments; opening on tangent; in good condition.

5. Sixteen-foot opening, in the city of Geneva; 15-in. iron girders, with mason work abutments; opening on tangent; in good condition.

Near the city of Geneva the single track of this line crosses the single track of the Auburn branch of the N. Y. C. & H. R. R. R. This crossing is properly protected with derails in the electric track and metal trough on trolley wire extending over the crossing. Special work of crossing in fair condition.

Near the city of Geneva the single track of this line crosses two tracks of the Pennsylvania division of the N. Y. C. & H. R. R. R. Co. The tracks of the steam road are at present being moved and lowered. There is no protection at this crossing. Cars come to a stop, and conductors flag them over the crossing.

In the city of Geneva the single track of this line crosses one main and one switch track of the Auburn branch of the N. Y. C. & H. R. R. R. This crossing is at the west end of the Geneva depot on the steam road. It is protected by flagmen at all hours when cars are operated on the electric road. All passenger trains in either direction stop at the depot; some of the freight trains do not. There is no metal trough on trolley wire over this

crossing. The electric cars cross, one every fifteen minutes. It is a right-angle cut crossing, in fair condition.

The methods of operation on this line could be improved by the equipment of the road with a necessary telephone system and the introduction of a train dispatching system. The replacing of the light T rail by a 60 or 70-lb. rail would add to the safety and comfort of the passengers on this road. The company has sufficient power for the maximum requirements at present; but if larger cars are put on the road, the power equipment must be increased. The company should have a printed schedule showing the run numbers, time at termini and intermediate points; also meeting points.

Since the last inspection of this road a considerable amount of work has been done on it, a large number of new ties have been added, and this work should be continued until all the original ties have been replaced. The grass should be removed from either side of the track, especially on that portion of the line between Seneca Falls and the park. The names or numbers of the switches should be displayed at each turnout.

I am informed that the company has the special work and derail necessary for the proper equipment of the grade crossing of the Pennsylvania division of the N. Y. C. & H. R. R. R. tracks, and that this will be installed as soon as the work of moving and lowering the steam tracks is completed. On account of the location of the grade crossing of the Auburn branch of the N. Y. C. & H. R. R. R. near the depot, where all passenger trains come to a stop, and as this crossing is protected by a flagman, no suggestion is at present made for derails at this point.

To increase the safety of operation on this road the following recommendations are made:

That the Public Service Commission of the Second District of the State of New York order the Geneva, Waterloo, Seneca Falls and Cayuga Lake Traction Company, as follows:

1. To place metal troughs on the trolley wire over the grade crossing of the two tracks of the Pennsylvania division of the N. Y. C. & H. R. R. R., and to place a metal trough on trolley wire over the grade crossing of the two tracks of the Auburn branch of the N. Y. C. & H. R. R. R. in the city of Geneva. The above to be complied with within sixty days from the acknowledged receipt of this order.

2. That it equip its railroad with a telephone system, with telephones located at each turnout switch.

3. That it install a proper system of train dispatching on its railroad, to be approved by this Commission.

4. That it equip all its switches with a sign showing the name or number with black letters on white background, reading in each direction. This order to be complied with within thirty days from acknowledged receipt.

Orders two and three to be complied with not later than ninety days from acknowledged receipt.

That the Public Service Commission of the Second District of the State of New York recommend to the Geneva, Waterloo, Seneca Falls and Cayuga Lake Traction Company, as follows:

1. That in the near future all the 40 and 48-lb. T rails on its road be replaced with 60 or 70-lb. rail.

2. That the work of weeding be continued to a speedy conclusion.

3. That if the use of trailers is to be continued, that they be equipped with air brakes so arranged as to be controlled on all cars by the motorman of the train. And this should be done before the heavy travel commences next season.

4. That it equips the grade crossing of the Pennsylvania division of the N. Y. C. & H. R. R. R. with special work cut crossings and derails in electric track, to be completed as soon as possible after the work of moving and lowering the steam tracks is done.

A copy of this report was transmitted to the general manager of the company, who replied that orders had been placed for all equipment recommended, and that improvements would be made as early as practicable; and later, gave in detail the progress of the work.

CHAUTAUQUA TRACTION COMPANY.

I have made an inspection of the Celeron division of The Chautauqua Traction Company's system (August 13, 1907), and submit:

The out- or Celeron-bound track of this division from the junction of the double tracks near the bridge at the steamboat landing in the city of Jamestown, to the junction of the double tracks at Celeron, is constructed of 45-lb. T rail. Near the steamboat landing the single track of this line crosses a steam railroad track. The special work and the track on the approaches to this crossing is in very poor condition; 45-lb. rail is laid on the curve from the end of the 80-lb. rail at the foot of the grade which descends to the crossing. The joint between these two rails is in poor condition and out of gauge. The 45-lb. rail on the curve is too light for the weight of the cars which pass over it, and the connection of the special work on the opposite side of the crossing is in such condition as to add to the possibility of derailment.

The out-bound track from the double track junction to Celeron is in very poor condition, with low and loose joints, with a number of bolts missing from the splices. The heavy cars operated between Jamestown and Westfield pass over this portion of the company's line, and in addition a double-deck car is operated between Jamestown and Celeron.

To increase the safety of this portion of the company's system, the following recommendations are made:

That the Public Service Commission of the Second District of the State of New York order The Chautauqua Traction Company, as follows:

1. To immediately repair or replace the special work at the crossing of the steam track near the steamboat landing in the city of Jamestown; that the curved rail on the approach to this crossing at the foot of the grade be immediately replaced by a heavier rail.

2. That the out-bound track between the junction of the double tracks and Celeron be immediately repaired, the joints tamped, missing bolts replaced, and loose ones tightened; and the track to be surfaced and aligned. Also, that the Jamestown-bound track be surfaced and aligned.

3. That all the 45-lb. rail in the track between Jamestown and Celeron be replaced by a not less than 60-lb. rail. This order to be complied with by May 1, 1908.

A copy of this report was transmitted to the general manager of the company, who objected to the change of rail; the matter is under consideration.

NEW PALTZ, HIGHLAND AND POUGHKEEPSIE TRACTION COMPANY.

August 30, 1907, I made an inspection of the New Paltz, Highland and Poughkeepsie Traction Company's railroad, and submit the following:

This road, which is single track, extends from the ferry landing at Highland to Wurts avenue in the village of New Paltz, a distance of 8.27 miles, constructed of 67-lb. T rail and 7-in. girder rail; 1 mile of the girder being laid in the village of New Paltz, and ⅜ of a mile in the village of Highland: ties, 7 and 8-in. face, 7 and 8 ft., oak and chestnut, 12 to 30-ft. rail; splices, 6-bolt angle irons with four bolts filled. The line is located on what I am informed is private right of way, ten feet wide along the highway. On the line there are three crossings of steam tracks: one at grade, a switch track; and two overcrossings. The maximum grade on the line is 10½ per cent. for about 60 ft.

The following villages and hamlets are located on the road: Highland, with a population of one thousand; Lloyd, fifty to seventy-five; Ohioville, about fifty; Centerville, about one hundred and fifty; and New Paltz, the western terminus of the road, about one thousand. At the latter point a State Normal School is located. Lake Mohonk, which is a popular summer resort, is located about six miles from New Paltz. There is a stage line

run between the lake and the village. There is a large summer traffic over the road to and from this lake, as well as to and from New Paltz proper. A considerable rural population is distributed along and near the entire line.

At the eastern terminus of the line the track does not extend across the West Shore railroad tracks. A shuttle car is operated on the east side of the West Shore tracks and between them and the ferry landing, a distance of about 600 feet. Passengers are obliged to walk across the steam tracks. The shuttle car is operated by the crews of regular cars.

The company owns, available for operation, eight passenger car bodies; three closed, two of which are sixteen feet, one eighteen feet, and one twenty feet; combination baggage and passenger; two 9-bench open cars, one 7-bench, and one 15-bench; all single truck, except the 15-bench, which is double truck; all closed cars are vestibuled; all except two have double chain brakes; three have single chain; and the 15-bench car has air brakes; all, except one 7-bench car, have sand boxes; all are equipped with oil headlights. The company also has one freight car, 38 ft. over all, with single chain hand brakes. The maximum weight of cars operated is 18 tons. One of the open cars was painted this spring. None of the winter cars have been overhauled or painted this summer. I am informed that the company intends to do so before cars are put in service for the winter season. Two men are employed in inspection and repair of cars at the power house. Only one of these works continuously on cars. Cars are very seldom washed inside and out. Conductors clean the windows and sweep cars. The company has a car barn at New Paltz, and all cars in service, except the shuttle car, are housed in this barn. Cars are taken out of service for inspection at the power house. They are not inspected in the New Paltz barn. Sand for sand boxes is dried in the boiler room in the power house. Crews are held responsible for the condition of sand boxes, and during the fall season they have two pails of sand on each car in addition to the sand boxes. Wheels: 33-in., chilled; 2¾-in. tread; ¾-in. flange; on freight car and the large open car 33-in. wheel, 4-in. tread, ⅞-in. flange. In addition to the above, the company has two flat cars, one sweeper, and a nose-plow which is attached to the freight car.

The company owns seven car motor equipments: two of these are 4-motor equipments; and five, 2-motors. All are 49 Westinghouse 35 hp., except one car equipment which is 3 Westinghouse 25 hp. No additions have been made to the motor equipment in the last three years.

The company's power house is located at Lloyd, nearly in the center of the line. It is equipped with two units, belted, one 100 kw. and one 150 kw.; one Clark engine 125 hp., and one Russell engine 200 hp. Boilers, two 150 hp. Coal is received from the Central New England railroad and shovelled into bin and wheeled into boiler room. The company has no data from which to determine the cost per unit of power.

Cars are run on a-half hour schedule during the greater portion of the day, commencing at 6 a. m. from New Paltz, and 7:15 from the landing; the last car leaving New Paltz at 6 p. m., connecting with the last ferry, and the last one leaving the landing at 7:10 p. m. The running time is 45 minutes. On the fall schedule, cars are operated on one-hour headway, with a short trip from the ferry to Highland village, 1½ miles, making a 30-minute headway between the ferry and Highland. On the fall schedule, the first car leaves New Paltz at 6:30 a. m. and Highland at 7:25 a. m. The last car leaves New Paltz at 6 p. m., and the ferry at 6:45 p. m. On this schedule there is a break in the hourly operation of cars. There is no car leaving New Paltz between 11:30 and 1 o'clock, making a one hour and thirty minute interval between cars during the noon hours. The necessity for another car between these hours is greater than during some of the other portions of the day. The above schedule goes into effect about September 15th. Another schedule is put in effect between the first and the fifteenth of November, depending on the change in schedule of the ferry. On this latter schedule, the last car leaves New Paltz at 5:30 p. m., connecting with the last ferry, and leaves the ferry at 6:30 p. m. Three cars are required on

the summer schedule and two on the winter schedule. Three crews are employed during the summer season and two during the winter.

On the line there are five turnouts. On the summer schedule, two are used for regular meeting points, these switches being fifteen minutes run apart. The switches east of the power house are not located properly for the movement of cars. There is only one on this end of the line, and three between the power house and New Paltz. To prevent delays on the summer schedule, there should be another turnout located near Highland village.

In addition to the regular schedule, there is a freight car operated over the road, making one round trip daily, leaving New Paltz after the first car in the morning. This freight is not scheduled. It runs, keeping out of the way of regular cars. No second sections or extra cars have been run this season.

The total number of passengers carried during the month of June was 18,675; the number of round trips operated, 373; an average of 50 passengers on the round trip, or 25 each car, each way. The total number of passengers carried in July, 1907, was 24,342; the number of round trips operated, 586; an average of 42 passengers on each trip, or 21 on each car, each way. The company has no book of rules. They have a printed time-table.

In compliance with the recommendations of the former Board of Railroad Commissioners, the company equipped its line with a telephone system, with telephones in the superintendent's office at New Paltz and in the power house, and with jack boxes located every 1,500 feet apart. The company has five portable telephone sets, and one was carried on each car. The use of the telephone was discontinued during the past winter, and the line between the power house and Highlands has been broken in a number of places; but it is in use between the power house and New Paltz. The portable telephone sets were not maintained in proper condition, and are not at present suitable for operation.

From the ferry landing the fare to Highland is 5 cents; to Lloyd, 10 cents; to Ohioville, 15 cents; and to New Paltz, 20 cents. Coupon tickets are sold, good on the ferry from New Paltz, for 25 cents, a reduction of 2 cents; and an excursion ticket from New Paltz, including the ferry, for 45 cents, a reduction of 9 cents. School tickets are sold for one-half regular rates.

The company has at present five section men who have been employed all this season. Since December 1st, 1,500 new ties have been put in. The company has about 300 ties on hand. The ties used at present are oak and chestnut, 80 per cent. oak; 7-in. face, 7 and 8 ft. Orders have been given for 300 square, pine ties for use on the viaducts. The company does not own a gravel bank. Nearly all of the curves have been re-tied. The whole line needs surfacing, ballasting, and aligning. The greater portion of it needs weeding.

The examination of the structures was commenced from the New Paltz end of the line, and in the following notes they are numbered consecutively from that point:

1. Six-foot opening; 14-in. I-beams on mason work abutments; structure in good condition.

2. Eight-foot opening; 10-in. I-beam under one rail, and 12 x 12-in. stringer under the other; stringers on mason work abutments; opening on curve; structure in good condition.

3. Fourteen-in. I-beams on mason work abutments; structure in good condition; opening on an easy curve at foot of a 2 per cent. grade descending to the opening from the east.

4. Eighteen-ft. opening; 15-in. I-beams on mason work abutments opening on a tangent; structure in good condition.

5. Eighteen-foot opening; 15-in. I-beams on mason work abutments; opening on a tangent; structure in good condition.

6. Pony truss bridge and steel trestle; approaches on the west side of the bridge 61 ft., with two steel piers; the pony truss on a skew, is 51 ft. long on lattice piers 26 ft. above the track of the C. N. E. R. R.; all piers set on

mason work abutments; the east approach same construction as the west one, 66 ft. long; bridge and approaches on a tangent, with a curve on the west end of the west approach and level; the bridge and approaches are equipped with guard timbers in fair condition; there are no guard rails. The alignment of track over the structure is good. A portion of the ties, which are sawed chestnut, are in poor condition, and should be renewed. The bridge should be painted, and the structure should be examined by a bridge expert, a copy of whose report should be submitted to this Commission.

7. Sixteen-foot opening; 15-in. I-beams on mason work abutment; opening on a tangent; structure in fair condition.

8. Bridge and steel trestle approaches over the C. N. E. R. R. tracks; total length of structure, 545 ft.; 11 steel piers on the east side, and 10 on the west side; bridge is a pony truss, on a skew; 75 ft. span on lattice piers, with masonry work foundation in good condition; structure on a tangent; at the end of the west approach there is an easy curve; 7½ per cent. grade on the approaches; structure equipped with guard timbers in very poor condition; there are no guard rails. Cross-ties, sawed chestnut, in poor condition, a number of which should be renewed. The structure should be painted and should be examined by a bridge expert, a copy of whose report should be submitted to this Commission.

9. Ten-foot opening; 12-in. I-beams on mason work abutments; structure in good condition.

10. Same construction as above.

11. Ten-foot opening; same construction as above.

12. Ten-foot opening; same construction as above.

13. Eighteen-foot opening; 15-in. I-beams on mason work abutments; structure on tangent and in good condition.

14. Sixteen-foot opening; on a tangent at the foot of a grade, and at the end of a curve on the west side with a tangent on the east end; 15-in. I-beams on mason work abutments; structure in fair condition, except that the cross-ties should be renewed.

15. Nineteen-foot opening; 15-in. I-beams on mason work abutments; opening on curve; structure in good condition.

While only a very small portion of the track of this line is in good condition, it has been considerably improved since the date of the last inspection, especially from the standpoint of safety of operation, as nearly all of the curves have been re-tied. A large amount of work is necessary to put the track in good condition. Safety as well as comfort of passengers requires that this be done. The force of five men at present employed on the road is not sufficient for this purpose, and this number of men would be necessary to maintain the track and roadbed in proper shape after it had been properly repaired. The company should secure a gravel bank, and put on immediately a sufficient force to properly surface, align and ballast the road between the West Shore crossing and New Paltz.

The track conforms to the surface of the highway, and while there are a number of heavy grades and sharp curves on most of it, the dangerous features are the especially heavy grades and sharp curves in and below the village of Highland. Between Highland and the eastern terminus of the line, the road is located alongside a creek for 240 feet, with a perpendicular retaining wall with a maximum height of 12 ft. At this point the track is on reverse curves, and on a grade with a maximum of 5 per cent. These curves are equipped with guard rails. In the village of Highland there is a grade of 7½ per cent. for 600 ft. on a curve, and below the reverse curves and 300 ft. below the end of the retaining wall there is another curve with a maximum grade of 10½ per cent. for about 60 ft., and the track from this point to near the terminus is on curves and grades of less per cent. The reverse curves should be eliminated by the construction of two bridges over the creek. This would require two steel structures: one 30 ft., and one 20 ft. long, and would also require the purchase of a small amount of private right of way. I am informed that the estimated cost of this change would be about $3,000.

Below Highland the line crosses the road at three points. These crossings are well planked and offer no obstruction to the highway travel; but as in each case the view is limited approaching them, there should be clusters of lights suspended over them and burned during hours of darkness.

In addition to the elements of danger in the operation of this railroad, the insufficiency of service is the cause of general complaint by the people living along the line, especially the residents of New Paltz. The road as operated at present, only runs to make connections with the ferry between Highland landing and Poughkeepsie. This ferry is not operated in a manner to properly accommodate its patrons, but notwithstanding this fact, the railroad should be run to accommodate the people living along the line regardless of ferry connections. A schedule on which the last car leaves New Paltz at 5:30 p. m., and Highland at 6:30 p. m., does not furnish proper accommodations to the people in the territory through which the line is constructed.

There is no other electric railroad in this State on which cars are run, the last one leaving a terminal point at 5:30 p. m. The schedule on this line should be continued so that the last car during the summer season should leave Highland at 10 p. m., and at 9 o'clock in the winter season. During the months of July and August, the company should operate two cars to meet boats which are due at 1:17 p. m., and also boats which are due about 3 p. m.

To increase the safety of operation on this railroad, and to add to the convenience of the passengers on it, the following recommendation is made:

That the Public Service Commission of the Second District, State of New York, order the New Paltz, Highland and Poughkeepsie Traction Company, as follows:

1. That as soon as possible the company shall employ a sufficient force to properly ballast, surface, and align all of its track between New Paltz village and the West Shore railroad; this work to be completed before the winter season commences.

2. That it change the location of its track on the reverse curves below Highland by the construction of structures over the creek and the purchase of private right of way as suggested in the body of this report; such work to be completed within one year from this date.

3. That it construct an additional turnout switch near Highland village, properly located for schedule requirements; this work to be completed before May 1, 1908.

4. That it procure at least two additional cars before May 1, 1908.

5. That it cause the two bridges and approaches over the C. N. E. R. R. to be painted, and to be examined by a bridge expert, and a copy of his report submitted to the Public Service Commission of the Second District, State of New York; painting to be done before May 1, 1908; the expert's report to be submitted before January 1, 1908.

6. That it place a 12 x 12-in. timber, properly secured, across both rails of the track at the terminus near the West Shore railroad tracks to prevent a runaway car from going on to the steam tracks; this to be done within thirty days from acknowledged receipt of the order.

7. That it place guard rails on each of the two viaducts over the C. N. E. R. R.; that it renew the ties on these structures; and that new guard timbers be placed on the one first west from Highland; this work to be completed not later than May 1, 1908.

8. That it place a sufficient number of lightning arresters on its overhead line to as far as possible protect its generating and motor equipment, and also to relieve the necessity of pulling down the trolley wire except in cases of unusually severe lightning storms; these instruments to be placed in position before May 1, 1908.

9. That it rearrange its schedule and continue the operation of cars so that the last car will leave the ferry terminus at about 9 o'clock p. m., commencing not later than the 15th of November and continuing this operation until the change in schedule goes into effect in the spring, when the

last car shall leave that point at about 10 o'clock during the summer season. Also that it continue the operation of cars during the noon hour of each week day in such a manner that cars will leave New Paltz on not less than one hour headway between 10 a. m. and 2 p. m.

10. That it repair and put in proper shape the telephone line on this road, and that it secure a sufficient number of portable telephones to equip each car in operation with one; this to be done not later than May 1, 1908.

11. That it cause the number or names of switches to be displayed at each turnout on a sign with a white background and black letters and reading in each direction; that this be done not later than May 1, 1908.

12. That it arrange a proper method of controlling the movement of trains by train orders; this system with proper blanks to be approved by this Commission and put in operation not later than May 1, 1908.

13. That it cause all cars in service, except the shuttle car, to be inspected every night in the New Paltz car barn before being run out in the morning; this system of inspection to be commenced within thirty days from the acknowledged receipt of this order.

Also, that the Public Service Commission of the Second District, State of New York, recommend to the New Paltz, Highland and Poughkeepsie Traction Company, as follows:

1. That it cause the cars to be used the coming winter to be painted and thoroughly overhauled before being put in service.

2. That during the months of July and August it run extra cars to meet the afternoon boats so as to prevent the overloading of cars, which has been the cause of serious complaint during the past season.

3. That it prepare and distribute to employees a proper set of rules, in book form.

4. That proper care be taken in keeping rails clear of leaves this fall season.

5. That it have its winter equipment in proper shape for operation not later than September 20th.

6. That it erect clusters of lights at the crossings of the highway below Highland village, and that they be kept burning during hours of darkness.

A copy of this report was transmitted to the company, and all matters connected therewith are now being considered.

ONEONTA AND MOHAWK VALLEY RAILROAD.

August 26, 1907, I made an inspection of the Oneonta and Mohawk Valley Railroad, and submit the following:

This system consists of 61 miles of single track, all constructed of 60-lb. T rail, except about 1 mile of 9-in. girder rail in the village of Oneonta; 0.75 of a mile of 6-in. girder in Cooperstown; and 0.82 of a mile of 9-in. girder in Mohawk. The T rail is four-bolt splices; original ties: red oak, spruce, and hemlock, square ties, 6 x 8-in. face, 8 ft. long.

The road is ballasted with gravel, except short sections which have recently been ballasted with broken stone. The maximum grade on the line is 4½ per cent. extending over a distance of about 4½ miles. The curves are compensated and the 4½ per cent. grade is not continuous, there being level sections along this portion of the line. There is a gradual ascending grade from Oneonta to the summit, located between Jordanville and Henderson, and a gradual descent from the summit to Mohawk. On the line there is one crossing of steam railroad tracks located between the main line and Cooperstown.

The main line of the road extends from Broad street, in the village of Oneonta, to its connection with the Utica and Mohawk Valley railroad in the village of Mohawk, a distance of 55.24 miles, located on private right of way except 11.94 miles which is on streets and highways. There is a branch line which extends from Index, which is 24.19 miles north of Oneonta,

to the center of the village of Cooperstown, 3.9 miles, half mile of which is on private right of way, the other portions on highway and village streets of Cooperstown. There is a branch line extending from the main line from Broad street to Glenwood cemetery in the village of Oneonta, a distance of 1.2 miles. There is a branch line from the main line at Chestnut street, in the village of Oneonta, to the State Normal School, a distance of 1.02 miles. There is also a branch extending from the main line at Junction to The Delaware and Hudson Company's railroad tracks, a distance of about one-half mile.

On the main line there are 56 main line switches, including three on the Cooperstown branch. They are all equipped with switch stands, targets, and signal lights. All main line switches are spring point, throw switches, with spring frogs.

The company maintains agents at thirteen points, namely: Oneonta, West Oneonta, Laurens, Mount Vision, Hartwick, Index, Cooperstown, Fly Creek, Schuyler Lake, Richfield Springs, Jordanville, Henderson, and Mohawk. There are two agents at Oneonta, and one at Cooperstown, Richfield Springs, and Mohawk. At all of the above points mentioned there are station buildings which are properly maintained, and lighted and heated when necessary.

The road is equipped with a telephone system, with telephones at each turnout switch and in the station buildings; also at other points where necessary for the proper operation of the road.

On the line there are 43 wooden structures and 19 steel bridges. The original construction of the structures was not first-class. Some good, steel bridges have been set on light pile abutments. A number of the wooden structures are of hemlock, and nearly all between Oneonta and Index are of this class of construction. Between Index and Mohawk, pine and oak have been used in a large number of the structures. The company is at present putting in concrete foundations under steel bridges at Index, crossing the Susquehanna; and at Otego creek, between Junction and West Oneonta.

The inspection of bridges and structures on this line was commenced at Oneonta, and in this report they are numbered consecutively from that point. In the village of Oneonta the track is laid on a street bridge with a 20-ft. opening, which on the date of the inspection was being repaired.

1. Lattice deck bridge, 77-foot span on pile abutments; structure on a tangent, and equipped with guard rails and guard timbers, sawed oak ties; approaches level; the abutments of this structure are to be rebuilt this fall.

2. Thirty-one-foot opening; two 20-in. I-beams under each rail on concrete abutments; guard rails and guard timbers; opening on a tangent; bridge in good condition.

3. Cattle pass 12 ft. 9 in. long; three 6 x 14-in. pine stringers under each rail, on pile abutments; structure in good condition.

4. Fifteen-foot opening; same construction as above; in fair condition.

5. Sixteen-foot opening; riveted girder 18 inches under each rail, on concrete abutments; guard rails and guard timbers; opening on a tangent; structure in good condition.

6. Thirty-two-foot opening; two 20-in. steel girders under each rail; on concrete abutments; opening on tangent; structure in good condition.

7. Fourteen-foot opening; three 6 x 14-in. hemlock stringers on pile abutments; stringers shored up and in very poor condition; structure should be reconstructed immediately.

8. Fifteen-foot, 9-in. opening; three 6 x 14-in. hemlock stringers under each rail; opening on tangent; small guard timber and no guard rails.

9. Thirty-foot opening; three 6 x 14-in. hemlock stringers under each rail; pile abutments with center pile pier; opening on tangent on a 1 per cent. grade; guard rails and small guard timbers; structure in fair condition, but should be replaced in the near future.

10. Fifteen-foot, 10-in. opening; three 6 x 16-in. hemlock stringers, on pile abutments; no guard rails; opening on tangent, and level; structure in fair condition, but should be renewed.

11. Twelve-foot opening; three 6 x 16-in. hemlock stringers, on timber bents with batter posts; opening on tangent; structure in fair condition.

12. Eighteen-foot opening; two 12-in. I-beams under each rail, on mason work abutments; guard rails and guard timbers; opening on a tangent; structure in good condition.

13. Sixteen-foot opening; three 6 x 16-in. stringers under each rail, on pile abutments; no guard rails; small guard timbers; opening on tangent; structure in fair condition.

14. Thirteen-foot, 11-in. opening, on curve on a fill; three 6 x 16-in. stringers, on pile abutments; structure in fair condition.

15. Forty-six-foot opening; three 6 x 16-in. stringers under each rail, pile abutments with two center pile piers; opening on tangent; guard rails; structure in fair condition.

16. Sixty-two-foot opening; same as the above, with three center bents; structure in fair condition.

17. Thirteen-foot opening; three 6 x 16-in. stringers on pile abutments; opening on tangent; no guard rails; structure in fair condition.

18. Thirty-foot opening; three 6 x 16-in. stringers, on pile abutments with one center pier; opening on tangent; equipped with guard rails; structure in fair condition.

19. Fourteen-foot opening; three 6 x 16-in. stringers, on pile abutments; opening at end of curve; no guard rails; there should be; structure in fair condition.

20. Fourteen-foot opening; same as above; opening on tangent; no guard rails; structure in fair condition.

21. Fourteen-foot, 9-in. opening; three 6 x 16-in. stringers, on pile abutments; opening on curve; no guard rails; there should be; structure in fair condition.

22. Thirty-three-foot opening; 4-foot plate girders, on mason work abutments in good condition; opening on tangent, with curves on each approach; there should be guard rail and guard timbers; structure in good condition.

23. Sixteen-foot opening; 24-in. steel girders, on pile abutments; opening on tangent; no guard rails; structure in good condition.

24. Thirty-foot, 7-in. opening; three 6 x 16-in. stringers, on pile abutments; center pile pier; opening on tangent, with guard rails; structure, while not in dangerous condition, should be replaced by a steel one.

25. Twenty-nine-foot, 8-in. opening; same construction as above; opening on tangent, with a curve on the north end; guard rails; structure in fair condition.

26. Forty-two-foot opening; 4-foot plate girders; new abutments now being constructed; opening on tangent, with curve on each approach; guard rails; structure, when abutments are completed, will be in good condition.

27. Thirty-six-foot, 6-in. opening; 4-ft. plate girders, on pile abutments; opening on tangent; guard rails; structure in good condition, except the pile abutments; these should be replaced by concrete or mason work.

28. Nine-foot opening; 12 x 12 in. stringers under each rail, on timber bents; opening on tangent; structure in fair condition.

29. Twenty-seven-foot opening; 24-in. plate girders, on pile abutments; opening on tangent; guard rails; structure in good condition.

30. Twenty-three pile bents, 13-ft. centers, 14 x 14-in. caps, 6 x 14-in. stringers; all timbers white oak; structure on a tangent, with a curve on south approach; a tangent on the north; equipped with guard rails and guard timbers; structure new and in first-class condition.

31. Thirty-four-foot opening; 54-in. plate girders, on pile abutments; opening on tangent, with a curve on the north approach; guard rail and guard timbers; structure in good condition, except abutments, which should be replaced by concrete or mason work.

32. Seventy feet north of No. 31: Thirty-two-foot opening; 42-in. plate girders on pile abutments; opening on curve, level; guard rail and guard timbers; structure in good condition, but abutments should be replaced by concrete or mason work.

33. Nine-foot, 9-in. opening; 12 x 12-in. stringers on mudsills; opening on tangent; structure in fair condition.

34. Six-foot opening; three 6 x 14-in. stringers on mudsills; structure in poor condition; should be reconstructed.

35. Thirty-one-foot opening; turntable bridge on pile abutments; opening on tangent; guard rails and guard timber; structure in fair condition.

36. Thirty-six-foot opening; 45-in. plate girders on pile abutments; opening on tangent; guard rails and guard timbers; cob approaches; structure in good condition, except abutments, which should be replaced with concrete or mason work.

37. Nine-foot, 6-in. opening; 12 x 12-in. stringers, on mudsills; opening on tangent; structure in fair condition.

38. Nine-foot, 10-in. opening; 12 x 12-in. pine stringers, on mudsills; no cross-ties; rail laid on stringers; tie-rods at each end of stringers; opening on an easy curve; structure in fair condition, but should be reconstructed with cross-ties.

39. Same as the above; on tangent; should be reconstructed with cross-ties.

40. Fourteen-foot, 4-in. opening; two 14-in. I-beams, on concrete abutments; opening on curve; no guard rails; there should be; structure in good condition.

41. Sixteen-foot opening; three 6 x 14-in. stringers, on mason work abutments; opening on a skew; track on tangent; structure in good condition.

42. Nine-foot, 8-in. opening; 12 x 12-in. stringers, on mudsills; structure in fair condition.

43. Nine-foot, 8-in. opening; 12 x 12-in. stringers, on mudsills; tangent; structure in fair condition.

44. Fifteen-foot opening; three 6 x 16-in. stringers, on mudsills; tangent; no guard rails; structure in fair condition.

45. Fifteen-foot opening; three 6 x 16-in. stringers, oak, on pile abutments; opening on tangent; no guard rails; structure in fair condition, except abutments, which should be renewed.

46. Ten-foot opening; 12 x 12-in. stringers, on mudsills; no cross-ties; opening on curve; only two tie-rods; structure should be reconstructed with cross-ties.

47. Eleven-foot opening; two 12 x 14-in. stringers, on mudsills; opening on curve; no guard rails; there should be; structure in fair condition.

48. Twelve-foot opening; 12 x 12-in. stringers, on mudsills; opening on curve; no guard rails; there should be; structure in fair condition.

49. Fifteen-foot opening; three 6 x 16-in. stringers, on mudsills; opening on curve, and on grade; no guard rails; stringers shored up; structure in poor condition; it should be reconstructed and equipped with guard rails.

50. Seven-foot cattle pass; 12 x 12-in. stringers, on timber bents with batter posts; opening on tangent; structure in good condition.

51. Twenty-seven-foot, 7-in. opening; plate girder deck bridge, on concrete abutments; oak ties, laid on flange of plate girders; track on a curve, and on a 4 per cent. grade; no guard rails; there should be; structure in good condition.

52. Eight-foot opening; 12 x 12-in. stringers, on timber bents; opening on curve; structure in fair condition.

53. Same as the one above; in good condition.

54. Twenty-five bents of trestle construction, and two mudsill bents; all 13-foot centers; bents: two 12 x 12-in. uprights, two batter posts, and 12 x 12-in. caps, laterally and side braced by planking, spiked; new stringers, 12 x 12-in. white oak, have been put in and bolted to the stringers, which were 12 x 12-in. stringers on corble blocks, which are cut to give elevation to outside rail. All bents rest on concrete foundations except the three center ones, under which new mudsills have been placed. Structure is on a curve, with curves on the approaches. There are guard rails, and guard timbers. Alignment on the trestle is good. All of the timber, except the new stringers, is hemlock. Originally, there were two pole lines on the

trestle; one has been taken down, and the other one securely guyed. This trestle is in fair condition for slow car movement. Foreign cars are run over it. It should be replaced within one year from date.

55. Thirty-seven-foot opening; plate girder bridge, with 6 x 12-in. oak ties laid on flange of girder; opening on a tangent; no guard rails; concrete abutments; structure in good condition; should be equipped with guard rails.

56. Thirty-seven-foot, 6-in. opening; plate girder bridge, 6 x 12-in. oak ties set on steps riveted to girders; concrete abutments; opening on tangent; no guard rails; there should be; structure in good condition.

57. Nine-foot, 7-in. opening; 12 x 12-in. stringers, on mudsills; tangent; structure in fair condition.

58. Cattle pass, 6-ft. opening; three 6 x 14-in. stringers, on timber bents with batter posts; structure in good condition.

59. Eight-foot opening; 12 x 12-in. stringers; timber bents with batter posts; no cross-ties; two tie-rods; structure in good condition, but should be reconstructed with cross-ties.

60. Six-foot opening; on a skew; 12 x 12-in. stringers, on mason work abutments; structure in good condition.

61. Eight-foot opening; 12 x 12-in. stringers on mudsills; opening on curve; structure in fair condition.

62. In the village of Mohawk; 12-ft. opening; 16-in. I-beams, on dry wall abutments; street bridge, in fair condition.

Since the last inspection of this road a considerable portion of the track has been surfaced and aligned and a small portion of it re-ballasted. On the date of the inspection a large force of men was engaged in this work, and as shown by the pay-roll of the week ending August 17th, the company had in its employ 124 men engaged in track repair work and on new construction. I am informed it is the intention of the company to continue this force until the end of the season, and it is expected that the greater part of the track will be repaired by putting in ties, surfacing, ballasting, and aligning. At the close of the season this track should be in fair condition; but it will still need ballast.

A large portion of the line needs weeding, but while there is considerable grass on the track, it does not at present materially add to the dangers of operation. The right of way has not been cleared. On the greater portion of it there are trees and brush which obstruct the view of motormen. The fencing is of cheap construction, but maintained in fair condition.

The overhead line has been reconstructed and is in good condition.

The company has one gravel bank and is condemning another; it has also one stone crusher in operation.

The company has about 10,000 feet of snow fence. The company bought 4,000 rail braces this summer, the larger portion of which has been put in; the balance will be this season; 11,000 ties have been put in this summer, and the company has on hand 5,000 additional ties which it is expected will be used this season; these are white oak and chestnut, 6 to 8 in. face, 8 ft. long.

Most of the cuts have been widened and properly sloped. A large number of the fills have been widened, and have been given proper shoulder and slope. A number of low places on fills have been raised, and a number of the sags at other points have been taken out. Riprapping has been done along the Fulmer creek and between Henderson and Mohawk; also along the Otego creek between Hartwick and Junction. At three points along Fulmer creek concrete retaining walls have been constructed.

The company owns, available for operation, 19 passenger cars. Of these: 6 are double truck, vestibuled, 50 ft. 5 in. over all, compartment cars with center entrance, smoking room, baggage room, seating 48 people; 5 are double truck, vestibuled, 42 ft. 5 in. over all, with end entrance, seating 44 people; 4 are open cars, double truck, cross seats, 16-bench, 45 ft. 10 in. over all; 4 cars are single truck, closed vestibule, 32 ft. long, seating 32 people; all cars are equipped with air and hand brakes and sand boxes; all main line cars carry arc headlights. Seven of the main line cars are equipped with steel-

tired wheels, 34 in.; tread of wheel, 3½ in.; flange, M. C. B. All of the wheels ordered by this company will be of this type for main line work, it being the intention to equip all cars with steel-tired wheels. Two oil tail-lights are on each car, also two oil markers. All closed cars are heated by hot water heaters, except the four 32 ft. cars, which are electrically heated. Six combination main line cars are equipped with toilets. Wrecking tools are carried, but no fire extinguishers.

The company has one electric locomotive weighing 45 tons; two large nose-plows, which are used as locomotives in the summer and as snow-plows in the winter; one small nose-plow used in the village of Oneonta; and two modern rotary plows used on the main line; two gondolas, ten box, and fourteen flats. All cars have full motor equipment.

All cars are housed, cleaned, inspected, and repaired at the company's car barn at Hartwick, except that two lay over, one at Oneonta and one at Mohawk. All cars are thoroughly inspected daily; and in addition, each car on the main line receives a road inspection at Hartwick on every trip. There are three cars for service in Oneonta, one being in for inspection at all times, two in service. Cars are overhauled as necessary. All winter cars were painted and varnished during this spring. There are 23 men employed in inspection, repairing, and cleaning cars. Shop records and reports are made on proper blanks, and crews report the condition of car when turned in. The supply of sand is kept at Hartwick.

The system is operated under one division, consisting of an assistant to the president, general freight and passenger agent, engineer in charge of the maintenance of way, and chief dispatcher. The assistant to the president and the general offices of the company are located at Hartwick. The train dispatcher's office is also at Hartwick. There are three dispatchers. The company has a running schedule, and a book of rules. The running schedule shows train numbers, time at termini and meeting points, and contains the necessary instruction for the guidance of train crews.

Trains are operated on the main line on one hour headway, first train leaving Oneonta at 6:17 a. m., the last one at 10:17 p. m.; first train leaving Mohawk at 7:57 a. m., the last one at 9:57 p. m. Cars on the Oneonta village line are operated on 20-minute headway, from 6:10 a. m. to 10:40 p. m. Cars on the Cooperstown branch are operated in connection with all main line trains.

A shuttle car is operated between Walnut Grove and Richfield Springs during the summer months, but is not carried on the time-card, this section of the road being operated by the positive block, under the protection of a block signal system. This is a manual system with three blocks. There is also a manual block system in Oneonta, at Chestnut street, where the Oneonta street car line operates over the main line.

No trailers or multiple unit trains are operated. When extra cars are run, they carry proper signals, indicating car following. Cars do not carry run numbers.

There are register stations at Oneonta, Junction, Laurens, Hartwick, Index, Richfield Springs, and Mohawk.

Freight trains are operated in each direction between Utica, Richfield Springs, and Hartwick, and in each direction between Oneonta and Hartwick. These trains handle baggage, freight, and at times move foreign cars on the lines of this company. In addition to this operation, the locomotive is used for handling foreign cars. A maximum of 12 loaded cars are hauled in one train. On each motor freight car there are three men, and four men on the locomotive. The locomotive is equipped with air, both straight and automatic, as are also the motor cars; and when foreign cars are handled, the air is connected and proper signals are displayed on the rear of each train operated. The average number of foreign cars handled, received, and delivered is about 100 per month; at times this number is exceeded.

The company has track connections with the D. & H. near Oneonta, and has track connections with the Utica and Mohawk Valley railway; also a traffic agreement with the latter company, by which the cars of this company are

operated to and from Herkimer over the tracks of the Utica and Mohawk Valley Railway Company between Mohawk and Herkimer, and the freight cars are operated under this agreement between Mohawk and Utica.

The company has a sufficient number of cars for schedule requirements, including an average of two being held in the shop for inspection. It has not, however, sufficient cars for maximum requirements of unusual heavy travel, or for excursion business. The company should increase its equipment by the addition of six or eight new interurban cars. The number of passengers averages from 4,000 to 5,000 daily at this season of the year. The maximum carried in one day on the whole system was about 12,000.

The company has a very complete train dispatching system, with proper blanks on which a record of each car movement is made. All orders are written in an order book and are received in manifold on blanks prepared for that purpose. Clearance cards are used, and the proper number of register stations are in use. Copies of the running schedule, the book of rules, the train sheet, and the blanks used in the train dispatching system are submitted with this report.

The number of cars required on the summer schedule is 19; and on the winter schedule, 12.

The company's power house is located at Hartwick, 17 miles from Oneonta, 38 miles from Mohawk. This house is equipped with two units of 5,000 kw. each, direct connected. The company has three transformer stations: one at West Oneonta, 14 miles from the power house; one at Schuyler lake, 16 miles from the power house; and one at Henderson, 30 miles from the power house. The transmission is made at 14,000 volts. Transmission line is located on the company's poles. It is carried by separate pole line around the village of Richfield Springs to the village of Laurens. In addition to the power house equipment, the company has in the power house a storage battery plant, 300 cells, with the capacity of 800 ampere hours. The company has sufficient power for schedule operation, and arrangements have been made by which it will secure additional power, so that within three months it will have power sufficient for maximum requirements of operation.

This company acquired the property on May 10, 1905. The original construction of this road, with the exception of the rail, was very poor. The ties were of poor class, the cuts were not given proper width and slope, fills did not have sufficient shoulder or slope, the location of the road was poor, resulting in a large number of unnecessary curves and grades. The maintenance up to the time this company took possession was not what it should have been, and on the last inspection made it was not in safe condition for high speed with the present class of equipment. This company has changed the location of the line at Mud lake by the construction of about 400 feet of track across a swamp, taking out 1,000 feet of old construction with a number of bad curves. At Chalk lake, a pile bridge 335 feet long has been constructed, and the location of the track changed, taking out about 1,000 feet of curves and heavy grades, straightening the entire line over a distance of two miles. At Mason's crossing, another new location is being built, over three-quarters of a mile, which will reduce the curvature and grades to a minimum and take out poor section of track, including one bridge and several curves and grades.

While the track at present is not in first-class condition, it is not in a dangerous condition for the character of traffic over it, but it should be entirely re-ballasted, with the exception of short sections which have recently been ballasted.

The original construction of the fencing was not proper. It is a wire fence on very light posts, and while the company maintains it in as good condition as possible, it is not sheep or hog proof, and at times cattle break through. This should be put in proper condition; repaired where possible, and reconstructed where necessary.

All of the highway crossings are equipped with crossing signs.

The condition of bridges and structures, as indicated by the detailed report, is mostly fair, and all of the steel structures are in first-class condition ex-

cept the abutments. A number of steel structures are placed on light pile abutments, which are not suitable for such structures. As soon as practicable, all of the pile abutments should be replaced by concrete or mason work. The hemlock stringers and timbers in the structures, principally between Oneonta and Index, should be replaced by pine or oak. The high trestle which is constructed of hemlock timber should be reconstructed.

The methods of operation are first class, and no suggestion is made to change it in any way, except additional precautions should be taken in the operation of the shuttle car between Richfield Springs and Walnut Grove. As now operated, its safety is entirely dependent upon the block signal. If it were given a place on the running schedule, in addition to the protection of the block signal, safety of operation would be increased. The company's cars are in first-class condition with proper equipment. The company is using some chilled wheels, but these are being replaced by a steel tired. The service furnished seems sufficient for the traffic. The company has not, however, sufficient cars for the maximum requirements of excursion business.

The heavy grades on the line, especially between Richfield Springs and Mohawk, require the utmost care in operation and the proper equipment of cars to prevent accidents. All of these precautions seem to be taken, and cars are properly equipped and inspected.

While the company has not sufficient power for maximum requirements of summer excursion operation, arrangements have been made by which sufficient power will be provided within a short time.

Guard rails should be placed, as suggested in the body of this report, on bridges, and also on sharp curves on fills and facing banks.

On account of the work in progress on this railroad, and the plans of the company for improvements, including the additional power and the purchase of new cars, etc., no recommendations are deemed necessary; but the Public Service Commission of the Second District, State of New York, should suggest that the Oneonta and Mohawk Valley Railroad Company increase its equipment by the addition of at least six interurban cars as contemplated, and these new cars should be ready for service by May 1, 1908; also, that the high trestle mentioned in the body of this report be reconstructed within one year from this date; that the work of ballasting and aligning track be continued to completion as soon as possible; that all of the pile abutments and hemlock timbers in structures be removed as soon as practicable; that guard rails be placed on bridges and curves, as suggested, as soon as practicable; and that if practicable, the shuttle car operated during the summer season between Richfield Springs and Walnut Grove be given a place on the running schedule.

A copy of this report was transmitted to the assistant to the president of the company, who replied that the company would at once proceed with the work of making improvements as suggested.

OSWEGO TRACTION COMPANY.

August 19, 1907, I made an inspection of the Oswego Traction Company's system, and submit the following:

This system consists of 7 miles of single track, located in the city of Oswego and its suburbs. It is constructed of 1.5 miles of 60-lb. T rail, 1 mile of 56-lb. T rail, 2 miles of 6-in. girder, 0.9 of a mile of 7-in. girder, ½ mile of 9-in., 110-lb. girder, 0.7 of a mile 9-in., 96-lb. girder, and 0.4 of a mile of 45-lb. girder. On the line there are eight crossings of steam railroad tracks. The maximum grade is 6½ per cent.

Minetto Division.

At the terminus of this line, near Minetto, the single track is constructed on a trestle work consisting of 96 pile bents, 10-foot centers, two 4 x 12-in. stringers bolted with filler blocks. Trestle has been recently shored up, and

is at present in fair condition for slow rates of speed with class of cars operated. There is a slow sign on the approach to the trestle, "4 miles per hour". This trestle should be entirely reconstructed in the near future, and while it is allowed to remain should receive frequent inspection and be kept in good repair.

On this line there is a grade of 4½ per cent. for about 300 ft., on East Fourth street. There should be a stop sign near the top of the hill at Oneida street, and all cars should come to a stop at this point before descending the grade. The T rail of this division is in poor condition, the rail badly worn and out of align and surface. Some of the original ties which remain in this track should be renewed. The girder rail on this line, with the exception of the 9-in. rail which has recently been laid, is in poor condition.

Erie Division.

The track of this line crosses at grade three switch tracks of the D., L. & W. railroad, each with special work in good condition. The track of this line crosses two main line tracks of the N. Y. C. & H. R. railroad. On the south side of the crossing the electric track is on a 3 per cent. grade ascending to the crossing for 300 feet. On the north side, it is down an ½ per cent. grade for 100 feet descending to the crossing. This is a special work jump crossing, with the ball of the steam rail cut. The crossing is in fair condition. It is located east of the Delaware, Lackawanna and Western and the New York Central depots at the west side of the street. There is a sharp curve in the steam tracks on the east side. This crossing should be protected by a derail in the electric track on the north side of the crossing, and by a metal trough placed on the trolley wire.

The girder rail portion of this line is in very poor condition, worn rail, joints low and loose, alignment poor; should be reconstructed in the near future.

Beach Line.

This line extends to "The Beach," a summer resort. The T rail portion of it is in fair condition, but needs surface and alignment. Some new ties have been put in and about ¼ of a mile of the track has been weeded and aligned. This line crosses a single switch track of the N. Y. C. railroad, and the crossing is located at the foot of a 6½ per cent. grade. It is a cut crossing, in fair condition. The view of the steam track from the electric track is unobstructed in each direction. There is an average of two switch movements on the steam track daily.

A metal trough should be placed on the trolley wire extending over the crossing, and all cars should come to a stop before going over the crossing, and motorman should proceed only after receiving two bells from conductor.

The structure on this line near the foot of the heavy grade, which is a 12-ft. opening in poor condition, should be reconstructed.

Mitchell Line.

The track of this line is constructed on the river and canal bridges, neither of which is in good condition, and both should be examined by a bridge expert and a copy of his report submitted to this Commission.

The single track of this line crosses two tracks of the New York, Ontario and Western railroad. This is a cut crossing, in good condition. It is located near the depot of the steam road. The electric track is up a 2 per cent. grade to the crossing on the west side, and level on the east, with a switch 50 feet from the crossing. There should be a metal trough placed on the trolley wire extending over the crossing.

On Tenth street, the track of this line crosses two main and one switch track of the New York, Ontario and Western railroad. On the north side of the crossing, the electric track is on a 3 per cent. up grade for 150 feet. On the south side, it is down a 1 per cent. grade for 100 feet to the crossing. The special work of this crossing is in very poor condition, and should be renewed. A derail should be placed in the electric track on the south side of the crossing, and a metal trough placed on the trolley wire.

On Mitchell street, the single track of this line crosses one switch track of the New York, Ontario and Western railroad, which extends to a boiler works. This is a cut crossing, in fair condition, and the crossing is open and clear to view in all directions.

The company owns, available for operation, 11 closed car bodies, varying in length from 16 to 20 feet; 6 10-bench and 7 8-bench open cars; 1 combination work car; 1 snow-plow, and 1 sweeper; maximum weight of cars, 7 tons. Motors: 16 G. E. 1,000; 4 G. E. 58; 4 G. E. 62; 4 G. E. 800; 8 Walker No. 4.

Power is bought in sufficient quantities for maximum requirements of operation, but the power supply is unreliable. A transmission line is being constructed and a contract is at present being executed, under the terms of which a sufficient quantity of power from Niagara Falls will be secured for maximum operation.

There are two lines operated on 10-minute headway. Extra cars are run as sections, and at times of heavy travel the headway is reduced to five minutes. No signals or flags are carried. The Beach line is not operated during the winter season. On this system 15 crews are employed during the winter season and 24 during the summer.

There are two track gangs of seven men and a foreman, each. Since the present management took control of the property, which was in May of this year, new curves have been put in at Mitchell and Tenth streets, and Bridge and Tenth streets; new crossing of the Rome, Watertown and Ogdensburg track on Bridge street; new curves at Lawrence street and Syracuse avenue; and a new turnout at Utica street. About 2,000 feet of track have been reconstructed, and about 2,000 new ties have been put in.

At the time of the inspection, operation was interfered with at two points on the line; one by the construction of a new curve, the other by new pavement, necessitating the transfer of passengers at these points, causing inconvenience to the people and irregularity in the movement of cars.

The track of this system is nearly all in poor condition and should be reconstructed. The cars are not in condition to furnish comfortable transportation to the public. The dangerous features in the operation of this line are the grade crossings of steam railroad tracks, and the heavy grades on portions of it. Safety of street travel, as well as of the operation of cars, necessitates a thorough and detailed examination of the bridges over the canal and the river. Since the new management has assumed control of this property, a considerable amount of work has been done upon it, and plans have been made for necessary future improvement in track and roadbed and structures. The contract for Niagara power will result in a reliable and sufficient power supply.

While the cars are not proper for the comfortable and convenient transportation of passengers, the traffic on these lines is not of sufficient volume to warrant this Commission in ordering the company to replace its cars with modern ones, but is is expected that the company will do so as fast as practicable. With the exceptions of the suggestions contained in the body of this report, no recommendations are deemed necessary to increase the safety, comfort, or convenience of the public.

A copy of this report was transmitted to the secretary and manager of the company, who replied, giving the status of the company and the work being done.

CORTLAND COUNTY TRACTION COMPANY.

August 17, 1907, I made an inspection of the Cortland County Traction Company's system, and submit the following:

This system consists of 15.2 miles of single track, with two branches: one extending through Main street to Preble, and through the village of Homer, a distance of ten miles, six of which are on private right of way; the other, which is known as the McGraw line, extends from the main line in the city

of Cortland to McGraw, a distance of 5 miles, about ½ mile of which is on private right of way.

The McGraw line, except in the city of Cortland, is constructed of 56-lb. T rail, and the Preble line of 60-lb. T rail. In the city of Cortland there are about 4,400 feet of 70-lb. girder rail construction. The maximum grade on the line is 4 per cent. for 300 feet. There are on the line four crossings of steam railroad tracks, one overhead and three at grade.

McGraw Line.

The terminus of this line is near the Lehigh Valley tracks in Cortland. It does not cross the tracks of the steam road, the depot of which is about 200 feet from the terminus of the electric track. From the terminus the track extends through Main street with 56-lb. T rail laid in 1894, in poor condition, of low and loose joints; then with 70-lb. girder rail in good condition, with a branch line extending to the D., L. & W. railroad. The main line crosses two tracks of the D., L. & W., with derails and a metal trough on the trolley wire; crossing properly protected; then across three tracks of the Lehigh Valley railroad with derails in the electric track; there is no metal trough on the trolley wire; should be.

From this crossing the track extends with a turnout to a bridge over the Troughneuga creek, with two trestle bents on the west side in poor condition. This is a through bridge resting on caisson abutments, 160 ft. span. The east approach is on a curve and level, the west one on a tangent and level. There are guard timbers, but no guard rails. The stringers on the west approach have been spliced by iron plates bolted between bents. The stringers have been shored up and are in very poor condition. The whole structure is not first class, especially the approach to it, which should be repaired immediately and reconstructed in the near future. The bridge should be examined by a bridge expert and a copy of his report submitted to this Commission. Cars should be operated at a speed not exceeding four miles an hour over this structure, and it should be equipped with guard rails.

From the bridge the line extends along the McGraw highway, and at what is known as Stevens's farm there are a number of trees which are too close to the track for the safe operation of open cars, and passengers may be injured by them while riding in closed cars. On account of the construction of a "State road" it is not practicable to move the track.

In McGraw, the track is constructed over a creek on a five pile bent structure with mason work abutments, 12 x 12-in. stringers, 16-ft. centers on pile piers, with 12 x 12-in. caps; the structure is on a tangent; there are no guard rails or guard timbers. There is a curve on the west approach and level, the east approach is on a tangent and level. This structure is in poor condition; the timbers are decayed. It should be shored up immediately so as to make it safe for slow operation, and it should be reconstructed in the near future. The west abutment should be repaired, as it is undermined. Cars should be operated at a speed not exceeding four miles an hour over this structure, and it should be equipped with guard rails.

In the village of McGraw the track is constructed over a 20-ft. opening with 14-in. I-beams on mason work abutment. This is a street bridge, in good condition.

East of McGraw the track is constructed on a pony truss bridge on a skew, with a 90-ft. span on caisson abutments. The east approach is on a trestle on a curve which has been partly filled in; should be entirely filled in, and the structure on this approach should be shored up until the filling is completed, which should be done before the winter season commences this year. The west approach is also in poor condition. All timbers on both approaches are hemlock, and the west one needs shoring immediately; should be filled in before the winter season commences. In addition to improving the approaches of this bridge, the bridge should be examined by a bridge expert, a copy of whose report should be submitted to this Commission. Cars should be operated at a speed not exceeding four miles an hour over this structure, and it should be equipped with guard rails.

On the line there are six cattle guards, all in fair condition except the last one from McGraw to Cortland, on which the stringers are decayed; this opening should be filled in or repaired. The track is also constructed over a 16-ft. opening with 14-in. I-beams, with square oak ties set on the flanges of the beams. This structure is in good condition. Then over a 12-ft. opening with two 56-lb. T rails under each traction rail, set on concrete abutments; structure in fair condition. The track of this line, while not first class, is not in a dangerous condition, but it needs surfacing, alignment, and ballast, which should be done in the near future.

Homer and Preble Line.

The single track of this line continues from Main street through the Homer highway and across two tracks of the D., L. & W. Railroad Company. The electric track is on a curve on each side of the crossing, and it is practically level. Derails have been ordered for this crossing, as has also a metal trough. It is expected that the derails and the trough will be placed in position in the near future.

This line is constructed over the D., L. & W. tracks on a highway pony truss bridge with a 75-ft. span, approaches on each end on a curve and up a 4 per cent. grade; the bridge was built by the D., L. & W. Railroad Company last year. The track is laid on the side of the bridge, and there is a driveway sufficient in width for one vehicle. The bridge is floored flush with the rails. There are guard rails on the approaches. This structure is in good condition.

Little York park, an excursion point, is located on this line, eight miles from Cortland.

The track is constructed over a 50-ft. opening with four-foot girders on concrete abutment; 8 x 14-in. chestnut cross-ties laid on the flanges of the girders; opening on a tangent; no guard rails; structure in good condition, except that more cross-ties should be put in.

Near the park the track is constructed on a nine-bent trestle, 16-ft. centers, 12 x 12-in. uprights and batter posts, three 6 x 12-in. stringers; all timbers chestnut; sawed chestnut ties; maximum height of structure 20 feet; structure on a tangent; there are no guard rails; there should be; structure in good condition.

The portion of this line between Homer and Preble has recently been constructed and has not yet been properly ballasted; the surface and alignment are not first class, but are in fair condition. At the time of the inspection there were 32 trackmen and two foremen operating two work trains, ballasting, surfacing, and aligning the track.

The company's power house is equipped with one 200 kw. direct connected generator, two 100 kw. belted generators. The 200 kw. unit is sufficient for ordinary operation. The McGraw line has not sufficient feeder for proper transmission of power. The feeder system is to be reinforced by the construction of another trolley wire, using the old one as a feeder.

The company has 14 motor cars: five are double truck closed vestibule; seven single truck open 8 and 10-bench cars, with closed bodies for winter operation; one freight car, and nine trailers; tread of wheels 2¾ in., flanges, ⅞ in. The company has sufficient cars for maximum requirements of operation. On the Homer and Preble line, cars are operated between Cortland and Homer on 30-minute headway, between Homer and Preble on one hour headway; on the McGraw line, they are operated on one hour headway. Four cars are required for schedule operation on the Homer and Preble line, and one on the McGraw line. At times, trailers are used. When this is done there is one man located on each trailer. Mail and express packages are carried on regular cars.

Foreign cars are drawn over the line by the freight motor cars. One foreign milk car is run over the line daily. Track connections are made with the D., L. & W., in Cortland. At times, second sections are run. When this is done, no signals are carried indicating car following. The Homer and Preble line should be properly equipped with a telephone system, and a proper method of moving cars when off the schedule time should be installed.

The company should have a proper printed schedule for the Homer and Preble line, showing time at termini and intermediate points.

The Homer and Preble line of this company's system, when completed, will be operated as a fairly high-speed interurban railroad, and when ballasted, surfaced, and aligned, will be of proper construction for this class of operation. On the date of inspection a sufficient force was at work to put the track in good condition before the winter season commences. The company has proper facilities for doing so, including a first-class gravel bank. The car equipment used on this line is first class. The methods of operation on this line should be improved, and all precautions taken to prevent collisions, including the suggested train order system necessary for proper operation. Closed cars on this line should be equipped with wrecking tools and fire extinguishers.

To improve the safety of operation on this company's system, the following recommendation is made:

That the Public Service Commission of the Second District, State of New York, order the Cortland County Traction Company, as follows:

1. That it improve, strengthen, equip and reconstruct its structures as suggested in the body of this report, the strengthening of structures to be completed within thirty days from the receipt of this order, the reconstruction of structures to be completed not later than May 1, 1908.

2. That it equip its Homer and Preble line with telephone facilities necessary for a proper train dispatching system; that such system, to be approved by this Commission, be installed not later than May 1, 1908.

3. That it equip all the highway crossings on its lines, outside of villages, with crossing signs, these to be placed in position not later than May 1, 1908.

No orders or recommendations are suggested in reference to the grade crossing of steam tracks, as assurance has been given by the company that these crossings would be properly protected in the near future, and that orders for the necessary material had been given.

A copy of this report was transmitted to the manager of the company, who replied that the company would comply with the recommendations, and asked that the question of a telephone dispatching system be held open pending investigation as to cost, etc.

SYRACUSE RAPID TRANSIT RAILWAY.

August 17, 1907, I made a partial inspection of the Syracuse Rapid Transit Railway system, and submit the following:

On a former inspection a number of recommendations were made to this company for the purpose of increasing the safety of operation at grade crossings of steam railroad tracks and at other points. In compliance with these recommendations the company has done the following work and has material on hand, as follows:

Salina street crossing with R., W. & O. switch track: a cut crossing has been put in place, and the company has metal trough on hand which will be placed in position in the near future.

North Salina street, West Shore crossing: a cut crossing has been put in at this point, and the company has metal trough on hand which will be placed on the trolley wire in the near future.

Salina street crossing the West Shore: company has the metal trough on hand which will be placed in position in the near future; no derails have been put in the electric track as recommended.

South Salina street crossing the D., L. & W.: derails have been placed in the electric track, and metal trough has been placed on the trolley wire.

South West street crossing the D., L. & W.: derails have not been put in the electric tracks; metal trough has been placed on the trolley wire.

Oakwood street crossing the D., L. & W.: derails have not been put in the electric tracks; metal trough has been placed on the trolley wire.

East Onondaga street crossing the D., L. & W.: derails have not been placed on the electric tracks; a metal trough has been placed on the trolley wire.

South West street crossing the D., L. & W: derails have not been placed in the electric tracks; a metal trough has been placed on the trolley wire.

West Genesee street crossing the R., W. & O.: derails have not been placed in the electric tracks; metal trough was being erected on the date of the inspection.

James street crossing the West Shore: derails have not been placed in the electric track; the company has metal trough on hand for this crossing, which will be placed in position in the near future.

South Salina street crossing the N. Y. C. & H. R. railroad: metal trough has been placed on the trolley wire.

Warren street crossing the N. Y. C. & H. R. railroad: metal trough has been placed on the trolley wire.

East Genesee street crossing the N. Y. C. & H. R. railroad: metal trough has been placed on the trolley wire.

The second track on the Valley line has been extended 6,000 ft.; at present. 1,671 ft. of single track on this line; single track protected by a manual signal.

All of the bridges and structures on this company's system have recently been examined by a bridge expert, a copy of whose report is herewith submitted. In explanation of the type of cars mentioned in this report: type A used on the Oneida Railway weigh 38½ tons; type A on the Auburn and Syracuse Railway, which run over some of the structures of this company, weigh 35 tons; class B cars weigh 26½ tons.

This system is operated by Niagara Falls power, which in the past has not been perfectly reliable. There have been several failures of power which have resulted in inconvenience to the public. The power company has duplicated its transmission line. This second line was put in operation August 13, 1907. At present the steam plant is held in reserve ready for operation. The arrangements are such that in seven minutes current can be generated from the steam plant in sufficient quantities for operation. With these additions and precautions the power supply in the future should be continuous and reliable, and delays in traffic from failure of power should not occur. The transmission of the Niagara power is made at 60,000 volts. This line is located on the canal bank and private right of way to the transformer station, which is located at the corner of Tracey and Rensselaer streets, in the western part of the city and about one mile from the business center. It crosses three city streets, and at these points is protected with cradles under the transmission wire. Transmission from the transformer station is d. c. at 600 volts.

The company has a sufficient number of cars for maximum requirements, both summer and winter; 79 of the double truck cars are equipped with hot water heaters; all single truck closed cars are equipped with stoves.

All of the system has been re-laid with 9-in. girder and 7-in., 95-lb. T rail; the suburban portions with 70, 80, and 85-lb. T rail. None of the original 6-in. girder remains in the track.

The company operates a line of cars from Syracuse to Minoa, 8½ miles single track, with nine turnouts, equipped with automatic signal system. Cars on this line are run on a 15-minute headway between Syracuse and East Syracuse; 5 cars required on this portion of the line; between East Syracuse and Minoa they are operated on a 30-minute headway; one car in operation. Oil tail-lights are used on the Valley, Minoa, Liverpool, and Rockville Springs lines.

The company has a traffic arrangement with the Auburn and Syracuse, and the Oneida railway companies, under the terms of which the cars of these companies are run over this company's tracks to and from the center of the business portion of Syracuse.

The Valley line mentioned above extends to "The Valley," at which point there is a summer theater, and during the season there is a very heavy excursion travel on this line.

A copy of this report was transmitted to the general manager of the company, who asked for a conference with the inspector regarding the recommendations for derail switches. This was granted; and the company has substantially complied with all recommendations.

BUFFALO AND WILLIAMSVILLE RAILROAD.

September 5, 1907, I made an inspection of the Buffalo and Williamsville railroad, and submit the following:

This line extends from North Main street at the city line of Buffalo to Williamsville, a distance of 4½ miles, with an extension from Williamsville of 2 miles. Between Buffalo and the village line of Williamsville it is located on the north side of the highway; from the village line through the center of Main street of the village, a distance of 1 mile; then on the north side of Main street 2 miles to the terminus; 3½ miles is constructed of 50-lb. T rail, 1 mile of 6-in. girder rail, and 2 miles of 80-lb. T rail. Nearly all of the ties are oak, with a few cedars, all 7 ft.; on the 3½ miles of 56-lb. rail they are 7 and 8-in. face, 12 to the rail; on the 2 mile, standard oak ties are used; T rail is spliced with four-bolt splices. Nearly all of the line is ballasted with broken stone. There are no grades of over 2 per cent. There are no crossings of steam railroad tracks.

The company put on a track force, spring and fall, sufficient to put the track in good condition, and on the day of the inspection four men were employed on the track. The track was all repaired last spring, sags taken out, and all of it raised level with the driveway. It has all been re-ballasted with stone within the past two years, from the city line of Buffalo to Williamsville, except about 300 ft. The two mile extension was completed in 1893.

The company owns 3 18-ft. closed, single truck cars, seating 22; 2 open, center-aisle cars, seating 40, single truck; 1 double truck, closed car, seating 38; 1 18-ft. trailer; all equipped with single chain hand brakes; closed cars are equipped with electric heaters and sand boxes; all cars carry electric headlights. One of the open cars is equipped with sand boxes. Cars are housed in Williamsville. The company has a car barn with sufficient capacity for the storage of all cars owned. There is a pit in the barn for the purpose of examination and repairs of cars. Three men are employed, who clean, inspect, and repair cars. Cars are cleaned, one every day, and all are inspected daily. The company does light car repairs. Other repairs are made at the shops of the International Traction Company. All cars have full motor equipments. Car bodies are not changed.

The company owns 3 2-motor equipments G. E. 800, 25 hp.; 1 2-motor equipment G. E. 67, 35 hp.; and 2 2-motor equipments S. R. F., No. 30, 20 hp.

The company's power house is located in the village of Williamsville. It is equipped with one 100 kw. belted generator. In addition to the power equipment the company buys power from the International railway in sufficient quantity for maximum requirements of operation. The connection with the International railway system affords reliability of power, as when it is necessary to shut down the steam plant, power in sufficient quantities can be taken from the International railway.

The overhead line is in fair condition, but at several points the insulation of the feeder wire is defective. The company has sufficient feeder for maximum requirements; d. c. 550 volt current is used.

The first car leaves Williamsville at 5:45 a. m. and the first one leaves the city line at 6:10 a. m. Additional service is furnished as traffic requires, and during the times of heavy travel a minimum of 12-minutes headway is operated. Occasionally trailers are used, and when this is done a brakeman is located on the trailer. Sections are run at times. Crews of cars followed by another notify opposing cars of that fact. The running time between

the city line and Williamsville is 20 minutes. Three crews are required in regular operation. Extra men are employed at times of heavy travel, especially on Sundays. All of these extra men have run as such for several years, one of them for fourteen years.

Between Williamsville and the city line there are 3 turnouts arranged for a minimum headway of 12 minutes. The pole line is located on only one side of the track, and all open cars have bars which are lowered on that side. On the 30-minute schedule two cars are required in operation; and on the 12-minute schedule, four. The maximum number of passengers carried in one day on this system was 3,419, Sunday, August 11, 1907.

Tickets are sold, 4 for 25 cents; a single fare is 10 cents; children 3 cents; school children tickets, 10 rides for 25 cents; in the village limits of Williamsville a 3 cent fare is charged.

The company has no book of rules. The road is not equipped with a telephone line. No names or numbers are displayed at switches. There is no printed schedule. Cars do not carry "car following" sign. On days of unusually heavy travel the company secures additional cars from the International Railway Company. They have a sufficient number of cars for ordinary picnic purposes, but occasionally large picnics tax their car capacity. Williamsville is an incorporated village with 1,000 population in the corporate limits. On week days a car is run through Williamsville over the extension on a two-hour headway.

The track of this railroad is in good condition. The overhead work is fair. The power supply is sufficient and reliable. There is a sufficient number of cars for maximum requirements of ordinary operation. These are in safe and comfortable condition. There are no excessive grades on the line, nor other physical condition which add to the dangers of operation. Cars and equipment are properly inspected and kept in safe condition of repair. The double truck car is full vestibuled; the other closed cars are closed on the front and north side of the platform and open on the south side.

To increase the safety of operation on this railroad and to add to the convenience of its patrons the following recommendation is made:

That the Public Service Commission of the Second District, State of New York, order the Buffalo and Williamsville railroad as follows:

1. That it equip its railroad with a telephone system.
2. When there are more than one section on a regular run, a car followed by another shall carry proper signals indicating such fact.

Also, that the Public Service Commission of the Second District, State of New York, recommend to the Buffalo and Williamsville Railroad Company that at points where the insulation of the feeder wire is defective the wire be renewed.

A copy of this report was submitted to the president of the company.

SYRACUSE AND SUBURBAN RAILROAD.

August 20, 1907, I made an inspection of the Syracuse and Suburban railroad, and submit the following:

This system consists of three divisions: a main line extending from the city of Syracuse to Edwards Falls, a distance of 12 miles, all on streets and highways except 1,500 feet; 2 miles of this line is located in the city of Syracuse, constructed of 90-lb. girder rail; through Fayetteville and Manlius, two villages on the line, the construction is 6-in. girder rail; the other portions of the line are 60-lb. T rail. A greater portion of the distance, this line is located along the side of and conforms to the surface of the highway. On the line there are eight turnouts. The Jamesville division extends from the main line to Jamesville, a distance of 4 miles, all on private right of way except ⅝ of a mile. The penitentiary branch extends from the Jamesville line to the Onondago county penitentiary, a distance of 3,000 feet, on private right of way. In the city of Syracuse there is a branch extending from the main line

at Crowley to Seeley street, a distance of 2 miles. The whole system thus consists of 18½ miles of single track. The track of this system is constructed through the villages of Manlius, Fayetteville, Jamesville, Orville, and Edwards Falls.

The maximum grade on the line is 8 per cent. for 500 feet. There are no crossings of steam railroad tracks. At Edwards Falls the company owns a suburban park consisting of 60 acres of land. Fiddler's Green, which is a picnic ground and is located on the Jamesville branch, is owned by the company and consists of 30 acres of land. On the Jamesville division there are three station buildings.

The structures on the Jamesville division were examined and are numbered consecutively, commencing at the penitentiary and Edwards Falls terminus:

1. Sixty-six-foot opening; 36-in. iron girders on mason work abutment and center pier; structure on a tangent, equipped with guard timbers; there are no guard rails; structure in good condition, but should be equipped with guard rails.

2. Twelve x 14-in. stringers on mason work abutments; guard timbers; no guard rails; structure on tangent, with a curve on the north approach; structure in good condition, but should be equipped with guard rails.

3. Eighteen-foot, same construction as the one above; on a tangent; structure in good condition.

4. Twenty-foot opening, on a skew; 16 x 18-in. stringers on mason work abutments, with two 9-in. girders laid across the opening under the stringers; opening on a tangent, with reverse curves on approaches; structure equipped with guard timbers, no guard rails; structure in good condition, but should be equipped with guard rails.

5. Sixteen-foot opening; 12 x 14-in. stringers on mason work abutment; on a tangent, with guard timbers; structure in good condition.

6. Ten-foot opening; 12 x 12-in. stringers on mason work abutment; on a tangent, and 1 per cent. grade; guard timbers; structure in good condition.

Structures on the main line are:

1. Ten-foot opening; 12 x 12-in. stringers on mason work abutments; opening on a tangent, and on 1 per cent. grade; equipped with guard timbers and guard rails; structure in good condition.

2. Six-foot opening; 12 x 14-in. stringers on mason work abutments; structure on a skew, with 9-in. girder rails under center of stringers; structure in good condition.

3. Fifty-five-foot opening over Limestone creek; structure of 5-ft. girders on mason abutments; bridge alongside a highway bridge; structure equipped with guard timbers; should be equipped with guard rails; bridge at foot of a light grade, and in good condition.

4. Fifty-foot opening; 4 ft. plate girders on mason work abutments; floor system reinforced by planks bolted on each side of floor beam; structure equipped with guard timbers; should be with guard rails; approaches on tangent and level; structure in good condition.

5. Ten-foot opening; 12 x 12-in stringers on mason work abutments; on a tangent; equipped with guard rails; structure in good condition.

6. Twenty-foot opening; 14 x 14-in. stringers on timber bents with batter posts; opening on tangent at foot of light grade; equipped with guard timbers; should be equipped with guard rails; structure in good condition.

7. Twenty-foot opening; two 6 x 14-in. stringers on mason work abutments; structure equipped with guard timbers and guard rail; on a tangent and level; in good condition.

8. Fifty-foot opening; constructed of 4 ft. plate girders on mason work abutment; structure on tangent; equipped with guard rails and guard timbers; on a 1 per cent. grade; sawed oak ties laid on the top of girders; structure in good condition.

9. Fifty-four-foot opening; 4 ft. plate girders on mason work abutments; floor beams reinforced by a plank bolted on each side and girders trussed; structure on a tangent at the foot of a light grade; equipped with guard rails and guard timbers; structure in good condition.

10. Six-foot opening; 12 x 12-in. stringers on mason work abutments; opening on curve; structure equipped with guard rails and guard timbers; in good condition.

11. Eight-foot opening, on a skew; 12 x 12-in. stringers on timber bent; structure on a tangent and level; equipped with guard timbers; in good condition.

The company owns, available for operation, 15 cars: 4, 15-bench open cars; 2 box, 45 ft. over all; 2, 41 ft. over all; 2, 37 ft. over all; five single trucks; all cars are equipped with arc headlights and oil tail-lights; the two 45-ft. cars are equipped with air brakes; all the others have double chain hand brakes; tread of wheels 2¾ in.; flange ⅞-in. All cars are cleaned, housed, inspected, and repaired at the car barns at Edwards Falls.

All of the double truck cars are equipped with 4 motors; the company has 12 G. E. 67 motors; 16 G. E. 52; 12 G. E. 1,000.

The power house is located at Edwards Falls, and is equipped with two 225 kw. units operated by water power, and one 500 kw. units operated by steam. The water units are sufficient for regular schedule operation; at times of heavy travel the steam plant is also used. There is a storage battery plant located at Jamesville junction, consisting of 240 cells. All current is d. c., transmitted at 500 volts.

On the regular schedule on the main line cars are run on 30-minute headway, with a minimum during the summer season of 15-minute headway. The running time between Syracuse and Edwards Falls is 55 minutes. On the 15-minute schedule seven cars are required. During times of extraordinary heavy travel trains are run in sections; no run numbers are carried, nor are signals carried for the car following. There is no through operation on the Jamesville line, except at times of heavy travel, when a man is stationed at the junction to regulate the movements of cars. There is one car which is owned by Onondaga county in operation on the penitentiary branch; there is a city car operated on the city branch. All cars lay on switches indefinitely for opposing cars; no orders to advance them beyond their regular meeting point are given by any one. The switches are arranged for a 15-minute schedule. No numbers or names of them are displayed. There is no telephone line owned by the company, but they have made arrangements for a telephone at each switch.

The maximum number of passengers carried in one day this season on the system was 3,500. On the regular winter schedule six crews are required in operation. The increased number necessary for summer operation is made up from employes of the company in other departments. The company has a book of rules. There is no printed schedule. Package freight and express business is done in a freight car. Mail is carried on regular cars.

A five-cent fare is charged in the city limits; from Syracuse to Orville, 10 cents; to Fayetteville, 15 cents; to Manlius, 20 cents; to Jamesville, 15 cents; or 25 cents round trip; book rates, 26 rides, round trip, good for one month to Fayetteville $5.25; same for Orville, $3.50; same for Jamesville, $5. Special rates for school children are paid by the towns.

On the day of the inspection there were ten men employed on the track. During the past year 6,000 new ties have been put in. These are oak and chestnut, standard. A large portion of the line has been weeded. Some of the T rail track on the Edwards Falls end, and the girder rail through the villages, is not in good surface and alignment.

The track, roadbed, and structures on this line are all in fair condition. The structures are all of sufficient strength for the weight of cars and the speed at which they are run. While no portion of the track is in dangerous condition, and a greater portion of it is in good condition, considerable work should be done on it in ballasting, surfacing, and aligning. The company has at present a sufficient track force for this purpose, which should be continued.

The Jamesville line, which has recently been constructed, is located along a steep bank on a 4 per cent. grade, with sharp curves for about a quarter of a mile. Several of these curves are equipped with guard rails and with light guard timbers.

The cars are in good condition, clean and comfortable. The company has sufficient cars for maximum requirements of operation. There is sufficient and reliable power available. The methods of operation, from the standpoint of safety alone, are excellent, but this method which requires cars to lay on switches indefinitely for opposing cars must result at times in serious inconvenience to passengers. The road should be equipped with a telephone system, with telephones at each turnout, and a proper system of train dispatching put in operation by means of which cars when off schedule time can be moved by train orders. Names or numbers of switches should be displayed, and a cluster of lights should be burned during hours of darkness at all turnouts used as meeting points.

There are a number of heavy grades on this road, which necessitate careful operation. A portion of the cars are equipped with air brakes; all of the double truck closed cars should be so equipped, as should also the four 15-bench open cars.

To increase the safety of operation, and add to the comfort and convenience of passengers on this railroad, the following recommendation is made:

That the Public Service Commission of the Second District, State of New York, order the Syracuse and Suburban railroad, as follows:

1. That it equip its road with a telephone system, with telephone facilities at each turnout; that this system be completed not later than May 1, 1908.

2. That it put in operation a proper method of issuing train orders, including proper blanks for the use of train dispatchers and train crews; that the rules be amended to include: requiring all cars followed by another one to carry signals indicating car following; requiring run numbers to be displayed on all regular cars, and a sign on extra cars to be displayed, indicating that they are extra.

3. That it prepare a proper running card, or time-table, which shall show run numbers, time at termini and intermediate meeting points.

4. That all switches which can be used as meeting points be named or numbered, such name or number to be displayed at the switch or turnout on a sign with black letters on a white background, reading in both directions; a cluster of lights to be burned over such sign during hours of darkness.

That the Public Service Commission of the Second District, State of New York, recommend to the Syracuse and Suburban Railroad, as follows:

1. That it equip all of its double truck cars with air brakes as soon as practicable.

2. That guard rails be placed on structures as indicated in the body of this report, as soon as practicable.

A copy of this report was transmitted to the president of the company, who replied that the recommendations would be complied with.

SYRACUSE, LAKE SHORE AND NORTHERN RAILROAD.

August 16, 1907, I made an inspection of the Syracuse, Lake Shore and Northern Railroad, and submit the following:

This line extends from Syracuse to Baldwinsville, a distance of 13 miles; it is double track from Syracuse to Long Branch, a distance of 7½ miles; constructed of 67-lb. T rail; 1¼ miles of 9-in. girder in the city of Syracuse. A portion of the line is at present being reconstructed on a new location, and when this is completed, nearly all of it will be on private right of way except in the city of Syracuse and in the village of Baldwinsville. On the line there are the following structures:

On Belden avenue, a deck plate girder city bridge.

On private right of way across the tracks of the New York Central railroad, 144 feet, clear span, through riveted truss bridge, strengthened for 50-ton cars, single track.

On private right of way across Harbor creek, concrete culvert, 18-ft. span.

At Nine Mile creek, a through plate girder 62-ft. span; new bridge, calculated for 50-ton cars on each track; double track.

On private right of way at Stiles station, across the Delaware, Lackawanna and Western railroad, a steel trestle with 113-ft. span, 175 feet of steel trestle and 260 feet of timber trestle; this structure is not in first-class condition, but its use will be discontinued in about two months, as a new line is being built on another location.

Near Baldwinsville, a three bent timber trestle, 10-ft. centers, not in first-class condition; this trestle will be replaced in about two months by a concrete arch.

The track work is in charge of a general roadmaster and two foremen. There are two gangs of about ten men each. About 6,000 new ties have been put in, in the last year. New double track is being constructed between Long Branch and Baldwinsville.

The line is double track from Syracuse to Long Branch, 7.5 miles; and from Long Branch to Baldwinsville, 6 miles, it is single track with one turnout. On regular operation cars are run on 30-minute headway. The running time is 45 minutes.

Long Branch is a summer resort, and 10-minute service including the through cars, is run between that point and Syracuse. At times of heavy travel a five-minute service is operated. No extra service is run between Baldwinsville and Long Branch.

There are two cars in operation on the single track between Long Branch and Baldwinsville, with an arbitrary meeting point. There is a turnout switch and when cars are off schedule time, opposing cars call superintendent and get orders to proceed. Between Long Branch and the switch the section of single track is protected by the staff system. The crews of each car entering on the single track between these points are required to have the staff in their possession. In about six weeks from the date of the inspection, it was expected that the double track would be in operation between Long Branch and the switch. When this operation is commenced there will be only one car on the single track at one time.

The company has a book of rules which was put in effect January 1, 1907. They have no printed schedule. Five crews are required on the winter schedule, and thirty-five at times of maximum travel during the summer season. The company has no reserve force. New men are "broken in" each year. The spacing rule on double track is 1,500 feet. The maximum number of passengers carried on this line in one day was 29,782.

The company has seven 28-ft. closed car bodies, fifteen 15-bench cars, one express car, two work cars, one rotary snow-plow, and one shear-plow. 5 G. E. 1000, 4-motor equipment; 8 Westinghouse 101B, 4-motor equipment; 8 Westinghouse 38B, 2-motor equipment; 3 G. E. 57, 2-motor equipment. All cars are equipped with air brakes and sand boxes. Some steel tired wheels are used. All new wheels are to be of this class. Cars are equipped with arc headlights, two oil tail-lights. The maximum weight of cars is 18 tons. Cars are housed, inspected, cleaned, and repaired at the car barn at power house. The company has sufficient cars for maximum requirements.

The company's power house is located 5 miles north of Syracuse in the town of Geddes. It is equipped with two units, 400 kw. each. The company is installing and will have in operation in about two weeks a 500 kw. rotary converter for Niagara power. The company has at present sufficient power for maximum requirements. The Niagara power is to be used for the contemplated extension to Fulton. There is sufficient feeder wire for present requirements. Current used, 550 volts, d. c.

The track between Syracuse and Long Branch has been reconstructed and is in first-class condition. That portion between Baldwinsville and Long Branch is not in first-class condition, but the use of it will be discontinued, and it is the intention of the company to put the remaining portion in proper shape. The new construction will also enable the company to discontinue the use of the Stiles bridge, which is not a first-class structure;

and the change in location of line will also add to the safety of operation, as when it is completed there will be only a short section of single track on which only one car will be in movement.

In the city of Syracuse the track crosses the R., W. & O. R. R. track at grade. The crossing is equipped with derails which are not in operation. There is no metal trough on the trolley wire. The derails should be put in operation, and a metal trough should be placed on the trolley wire extending over the crossing. In the city of Syracuse at points the track centers are too narrow to permit of the passage of cars. This condition adds an element of danger to the operation. On the bridge over the New York Central freight tracks, there is only a single track. The traffic on this line between Long Branch and Syracuse is of such volume that safety as well as convenience would be increased if the double track were extended at this point.

To increase the safety of operation on this railroad the following recommendation is made: that the Public Service Commission, Second District, State of New York, order the Syracuse, Lake Shore and Northern railroad to put in operation the derails at the grade crossing of its tracks with the R., W. & O. R. R., in the city of Syracuse, and that it place a metal trough on the trolley wire extending over this crossing; the above to be completed before May 1, 1908.

Also, that the Public Service Commission, Second District, State of New York, recommend to the Syracuse, Lake Shore and Northern railroad, that at points in the city of Syracuse where the straight tracks are of too narrow centers to permit the passage of cars, they be widened; that a double track structure be placed over the freight tracks of the New York Central and Hudson River railroad and the double track continued at this point.

A copy of this report was transmitted to the president of the company, who replied that the recommendations would be complied with; and asking for a hearing as to the derail switch at the R., W. & O. R. R. crossing. This matter is pending.

ORANGE COUNTY TRACTION COMPANY.

September 26, 1907, I made an inspection of the Orange County Traction Company's system, and submit the following:

This system consists of 16.75 miles of single track, and 1 mile of second track; 2¼ miles of single track is on private right of way; the remaining portion is on streets and highways. In the city of Newburgh the track is laid through 3.87 miles of paved street. The track is constructed of 7 and 9-in. girder rail and 60-lb. T rail. There is a suburban branch which extends from Newburgh to Walden.

The present management took possession of the property August, 1906. In the last two years about 9,000 ties have been bought, and all but about 200 have been put in the track. These are 6 x 7 in., 7 ft., oak and chestnut. Six new steel bridges from 22 to 24 ft. have been put in place. During the past season an average of twenty men have been employed in ballasting, surfacing, and aligning the track, with one work train. Three special work sections have been put in the track in the city of Newburgh, and the company has on hand ten new switches with switch tongues and frogs complete for T rail; twenty-five tons of 65-lb. T rail is on hand to increase sidings on the suburban line. About one mile of new paving is in course of construction at present.

The company has 46 car bodies: of these, 32 are closed and 14 open; of the closed cars, 14 are from 18 to 21 ft.; 1 combination open and closed car 30 ft.; 11 semi-convertible 20 ft. 8 in.; four 28 ft. double truck semi-convertible; two combination baggage and passenger cars, 20 ft.; all the open cars are 10-bench; 15 of the closed cars are full vestibuled; 17 have front vestibules with curtains on side; 28 closed cars are equipped with double chain

brakes; 4 of the double truck cars with air brakes; all of the closed cars are equipped with sand boxes; all closed cars are heated with electric heaters; all the open cars are equipped with double chain brakes, and also have sand boxes; all cars are equipped with incandescent headlights, and ten have both arc and incandescent headlights. All the suburban cars are equipped with oil tail-lights. Fourteen cars are equipped with steel wheels. On the four double truck cars, the tread of wheel is 3-in.; flange, ⅞-in.; all other wheels are 2½-in. tread and ⅞-in. flange. Six of the open cars are equipped with safety bars. The maximum weight of cars is 24 tons.

The company has 31 car motor equipment, all 2-motors except four 4-motors, as follows: Westinghouse 68, 40 hp., 13; Westinghouse 49, 45 hp., 4; Westinghouse 12A, 30hp., 1; Westinghouse 101B, 40 hp. 10; Westinghouse 101B, 40 hp., 4-motor. The 68 motors have been in service four years; the 101B's eight months; the 49's were second-hand motors; and the 12A's have been in service ten years.

There are 13 single trucks, 7 ft. wheel base; 15 single trucks, 8 ft. wheel base; 4 double trucks, 4 ft. wheel base. In addition to the above, the company has three flat cars: two single and one double truck; two service cars; one sand and one line car; six flat cars; one nose-plow; one sweeper.

The company's power house is located on Broadway, in the city of Newburgh, equipped with three 250 hp. units, belted to three 200 kw. generators, Boilers, four 125 hp.; two, 155 hp. Coal is received by wagon and shoveled into bin in boiler room.

In addition, the company has a sub-station at East Walden, 10 miles from Newburgh, equipped with one 150 kw. rotary. A 225 kw. rotary has been ordered to replace the 150 kw. rotary. This power is bought in Newburgh, and transmission is made at 13,200 volts. This transmission line in the city of Newburgh is on the electric light company's poles about one mile to the railroad poles. All are wooden poles.

The company has sufficient power and feeder for maximum requirements. In case of breakdown, it has a reserve from the electric light company's power station in Newburgh.

All service cars are housed in the company's barn at the power house. The company also has a barn at Broadway and Haines crossroad, where the miscellaneous equipment is housed. All cars in service are inspected each night, and reports of inspection are made on blanks and transferred to a book. The company has a repair shop with tools and machinery sufficient for light car repairs. Cars are cleaned, washed inside and out, each day. Ten men are employed in the cleaning, inspection, and repair department. There is a steam sand drier in the car barn. The company has not sufficient storage room for all cars owned. Plans have been prepared for a new car barn. Nineteen additional cars were purchased last year; of these, 14 were new ones.

Five lines of cars are operated; three city lines and two suburban; namely, Main line, Heights and Bridge line, Landers street line, Walden line, and Orange lake line.

The Main line cars are operated through Broadway from Haines crossroad, Colden and North Water streets to North and Liberty streets a distance of 2.94 miles. Cars on this line are run on a 10-minute headway from 6 a. m. to 6 p. m., and 12-minute headway from 6 p. m. to 10:36 p. m. The running time is 24 minutes, and four cars are required on this schedule.

The cars on the Heights and Bridge line start from Fourth and Water streets and run through Water street, Colden street, Broadway and Liberty streets to Washington Heights, a distance of one mile. There is also a branch from this line at Renwick street and Liberty street which extends through Renwick street, Bridge street, to Quasaick bridge. This branch is about half a mile, making 1½ miles run on this line. Cars on this line are operated on a 12-minute headway from 6 a. m. to 7 p. m. Three trips run to the Heights and one to the Bridge. After 7 p. m. these cars are run from Broadway and Liberty streets to 11 p. m. on 12-minute headway, two trips to the Heights and one to the Bridge. On the 12-minute schedule two cars are required, and one after 7 p. m.

Cars on the Landers street line run from Fourth and Water streets through Water and Colden streets, Broadway, Landers street, South street, North Liberty street, Bonville road to the terminus at Bonville, 2.85 miles. Cars on this line start from Fourth and Water streets from 6:15 a. m. to 6:55 p. m., on a 20-minute headway. From 6:55 p. m. from Broadway and Liberty streets on 18-minute headway. Running time from Fourth street, 20 minutes. Two cars required.

Cars run on the Walden line from Second and Water streets to Walden, 12 miles. They are run in winter on one hour, and one hour and ten minutes headway. In the summer season on 30 to 40-minute headway. Running time one hour, and one hour and ten minutes. On the one hour headway, two cars are required. On the 30-minute headway, four cars. Cars run from Second and Water streets through Water street, Colden street, Broadway, Haines crossroad, private right of way, Plank road to Main street in the village of Walden to the terminus at Wallkill river bridge.

Cars are run on the Orange lake line during the season to accommodate traffic on a minimum of ten minutes headway during hours of heavy travel. On Sundays and holidays the service is supplied with a 30-minute headway on the Walden end and transfers are given at the lake. The officials of the company claim that the 30-minute on the Walden end and the 10-minute on the Newburgh end is maintained at all times, so there is no delay caused by the transfer at the lake.

No trailers are used. Sections are run. Signals are carried. The company has a book of rules. The spacing rule on the interurban line, 200 feet. The company has a printed running schedule on which train numbers are shown, and train numbers are carried on cars. The company has a complete dispatching system with proper blanks for issuing train orders, but they have not proper blanks for their receipt by train crews. Train sheets are used by dispatchers, and crews report at different switches on the line. Numbers of switches are displayed. A freight train makes two round trips daily. These trains are not shown on the time-table. On the winter schedule, 13 cars are required, and the maximum number during the summer season is 30.

A five-cent fare is charged in the city limits, and transfers are given in these limits between the lines. Ten cents city limits to Orange lake, 5 cents from Orange lake to East Walden, and 5 cents from East Walden to Walden. Round trip tickets, Newburgh to Orange lake, 25 cents.

The track of the Landers street extends from Bonville on private right of way for one mile, with T rail in poor condition. Low and loose joints and poor alignment. At the time of the inspection there was a break on this line caused by street improvement, and the line, with the exception of the T rail, was in first-class condition.

The track of the Main line extends from the junction of Landers street line through North Water street, with girder rail, down a 4 per cent. grade for 800 feet, on a tangent; then down a 4½ per cent. grade for 400 feet, to a curve at the foot; then through Water street and through the shopping district. Along Clinton square the track is up a 7 per cent. grade for 300 feet; then with a light grade to Broadway; through Broadway the line is double track and up a grade with a maximum of 11 per cent. for 250 feet, with a curve at the foot facing the river. Cars come to a stop at the top of this hill, and motormen start on signal from conductor.

The double tracks through Broadway are in first-class condition, and on an up grade for 500 feet, with a maximum of 7 per cent. to the car barn; then down a light grade with T rail from Mill street near the car barn to the junction of the double tracks at West street; then on the south side of Broadway with single track to Haines crossroad; then on the west side of Haines crossroad to private right of way.

Between Newburgh and Walden the line is constructed over the following structures, which are numbered consecutively from Newburgh:

1. Bridge over a creek, 30-ft. span, 24-in. girders, on mason work abutments; structure on a skew, with a curve at each end; equipped with guard rails that extend over the bridge; structure in good condition.

2. Bridge 23 ft. 6 in., over a creek; constructed of two 6 x 18-in. pine stringers on mason work abutments; on a skew; there is considerable deflection on the stringers, and while the structure is not considered dangerous, it should be reconstructed in the near future.

3. Bridge 19 ft. 6 in.; 24-in. I-beams on mason work abutments; bridge on a tangent; structure in good condition.

4. One hundred and thirteen bents of trestle, 12-ft. centers, constructed of two 7 x 12-in. stringers bolted together under each traction rail; pile bents with 12 x 10 in. caps; four 12-in. piles; guard timbers; chestnut sawed ties; maximum height of bottom of ties above ground, 5 feet; trestle over a swamp, on a tangent; no guard rails; alignment of track good; structure in fair condition; some work of filling has been done; this should be continued and the structure entirely filled in.

5. Fifty-two bent trestle of same construction as above, and same condition.

6. Eleven-foot opening; 12 x 12-in. pine stringers on mason work abutments; structure on a tangent; in good condition.

7. Twenty-three-foot opening, constructed of 24-in. I-beams on mason work abutments; structure on a tangent; in good condition.

8. Twenty-two-ft. 6 in. opening; 24-in. I-beams on mason work abutments; structure on a curve at the foot of a grade; equipped with guard rails; structure in good condition.

9. Twenty-five-foot opening, constructed of 24-in. I-beams, laterally braced, on mason work abutments, at the end of a curve; equipped with guard rails; structure in good condition.

10. Twenty-six-foot opening, constructed of 24-in. I-beams on mason work abutments; opening at the end of a curve; should be equipped with guard rails; structure in good condition.

11. Thirty-nine-foot opening; two 20-in. I-beams on mason work abutments; on a curve, with guard rails; in good condition.

The track of this line is in very good condition of surface and alignment, but where it is located on the highway it conforms to the driveway, with the result that there are a number of grades and sharp curves on it. Most of the curves are equipped with guard rails, and some of them are braced. The switches are tongue points, and solid frogs. The bridges are in good condition. The trestle work is not at present in a dangerous condition, but as suggested, these should be filled in. The overhead construction from Newburgh to Orange lake is in fair condition, and from the lake to Walden it is in poor condition and should be repaired. There are crossing signs on all the highway crossings. The fencing on private right of way is in fair condition. The road is equipped with a manually operated block signal system and a telephone system.

The dangerous features in the operation of the city lines are the heavy grades, but proper precautions are taken in sanding these grades, both by the equipment of cars with sand boxes, and men employed for that purpose.

To increase the safety of operation on this railroad, the Public Service Commission, Second District, should make the following recommendations:

1. That the Orange County Traction Company improve its methods of train dispatching by supplying motormen and conductors with proper blanks for receiving train orders which should be received and written by one member of the crew who should give a copy to the other member, who should then repeat it back to the train dispatcher, receiving his O. K. in the usual and proper manner.

2. That the double truck freight car operated on the suburban line should be equipped with air brakes.

3. That all curves of over 3 per cent. on the suburban line should be braced.

4. That the overhead work between Orange lake and Walden should be repaired.

5. That the switches should be reconstructed with spring point throw switches and spring frogs.

A copy of this report was transmitted to the superintendent of the company, who replied that all the recommendations would be complied with.

WALLKILL TRANSIT COMPANY.

On September 23, 1907, I made an inspection of the Wallkill Transit Company's system, and submit the following:

This system consists of 10.8 miles of single track: 4.9 miles of which is in the city of Middletown, 2 miles in the town of Wallkill, 2.6 miles in the town of Goshen; and 1.3 miles in the village of Goshen; 3.4 miles of track is on private right of way, the balance on streets and highways.

The track is constructed of 2,100 feet of 8-in. girder in the city of Middletown, which was laid in 1894. The balance of the system is constructed of 65-lb. T rail, with chestnut and oak ties, and with four and six bolt splices. Track ballasted with gravel and cinders.

A suburban line of this system extends from Franklin square in the city of Middletown to the Erie depot in Goshen, a distance of 7.4 miles. On this line there are seven turnouts, with split point throw switches and spring frogs. There are no switch stands, targets or signals.

There is no telephone on the line, except public 'phones at Midway park, with direct connections to the power house. On the system there are two over, three under, and one grade crossing of steam railroad tracks. There are four bridges over 12 feet long: two over waterways and two over steam tracks.

The company owns, available for operation, sixteen car bodies, seven of which are closed. Of these, three are 18-ft. inside; two are 30-ft.; and two are 32-ft. The two 32-ft. cars are combination, seating 44 passengers, with smoking or freight room. There are seven open cars: two 12-bench; two 10-bench, and three 9-bench; also two combination open and closed, 38 ft. over all. Of the closed cars, three are single truck and four double truck. Of the open cars, four are single truck and three double truck. The maximum weight of cars is 19 tons. In addition to the above, the company own two freight box, one flat car, one sweeper, also four dump construction cars. They have no snow-plows.

Twelve 2-motor equipments and four 4-motor equipments, all Westinghouse 101B, 40 hp. All motors bought and put in service in 1905. Full motor equipment for all passenger cars. Car bodies are not changed.

All closed cars are vestibuled with full vestibules. The double truck closed 4-motor cars are equipped with air brakes. The combination open and closed also have air brakes. All the single truck cars are equipped with single chain hand brakes. The freight car is equipped with double chain hand brakes. All closed cars, including the combination cars, have sand boxes. No open cars are equipped with sand boxes. All are equipped with electric headlight; four have arc headlights. Closed cars are equipped with electric heaters. Wheels are chilled, cast, 2½-in. tread, ¾ and ⅞-in. flange. All cars are housed in the company's barn in Mechanicstown, which is two miles east of Middletown. The company has no storage capacity in the barn for all the cars owned; about one-third of them are stored out doors. In the barn there are pits for car inspection and repair.

The company employs three day men and one night man in the inspection, cleaning, and repair of cars. All cars in service are inspected by night man before being sent out each day. The company has proper blanks on which reports of defects and repairs on cars are recorded. In the car barn there are tools and machinery sufficient for light car repairs and armature winding. Cars are swept and dusted every night; windows washed twice a week. There is no sand drier. The company has a sand bank. The men in the car barn are responsible for the condition of sand boxes. Cars are overhauled as often as necessary, at least twice a year.

During the past summer the company has had a force of twelve men employed on track repairs. On the date of inspection there was a gang of six men and a foreman at work on the track. During the past year new 65-lb. rail has been put in on East Main street between Franklin square and Academy avenue, a distance of about one thousand feet. Considerable surfacing, ballasting, and weeding has been done on the suburban division, and about one thousand new ties have been put in during the past season. These were oak and chestnut. The whole system, including the suburban

line, was reconstructed by re-tieing, ballasting, surfacing, and aligning in 1905. All curves are braced, and private right of way portions are fenced with wire fence.

All of the original trolley wire was taken out and renewed with 00 wire in 1905. New poles were put in where necessary, and bracket construction substituted for span construction. About five miles of new feeder wire was placed in position. All city feeder wire is insulated. About one-third of the feeder wire on private right of way on the suburban system is bare wire.

The company operates three lines of cars: two city lines, namely: State hospital, and North street and Academy avenue lines. The State hospital cars run from Franklin square to State hospital, 1.73 miles. They are run on 15-minute headway from 10 a. m. to 10 p. m. At other times on 30-minute headway. The first car at 6:30 a. m., and the last one at 11:15 p. m. The running time is 15 minutes. On the 15-minute headway, two cars are required in operation. Cars on the North street and Academy avenue line run across the city from Genesee street to the city line on North street, a distance of 2.11 miles. From Genesee street they run through Academy avenue to East Main, to North street, to Wickham avenue, to Law avenue, to North street, to the terminus at the city line. They are operated on 20-minute headway from 6:25 a. m. to 10:45 p. m. Running time 20 minutes; two cars are required.

During the summer season a short line to Midway park is operated, with a through service to Goshen. Both of these lines of cars are run from Franklin square on the tracks of the Academy avenue line on East Main street to Benton avenue, a distance of 0.26 miles. The Midway park cars run 2.93 miles, the Goshen cars 7.4 miles. During the summer season, in regular operation, cars leave Franklin square every 15 minutes, every other one running through to Goshen, and every alternate one to Midway park. During times of maximum travel a 10-minute headway to the park and 15-minutes to Goshen is maintained. At these times, which occur on Sundays and holidays, the service is split at the park, and there is no through operation. Double headers are run when required. No trailers are used. On the 15-minute headway, with every other one a through car, three cars are required. Running time to the park 14 minutes; from Franklin square to Goshen, 28 minutes. On the winter schedule, all are through cars run on 30-minute headway. Two cars required on this schedule, the first car leaving Franklin square at 6 a. m., and the first from Goshen 6:30 a. m.; the last car from Middletown leaves at 11 p. m. and the last through car from Goshen at 11:30 p. m. There are three turnouts on the line between Middletown and the park: on 10-minute headway, cars meet on all these switches; on the 15-minute headway, they meet on one switch; on the 30-minute headway, cars meet at the park. When sections are run, cars do not carry signals indicating that fact. No oil tail-lights are used on the extra park cars. They are used on some of the Goshen cars.

The company has a book of rules. There is no printed schedule. No run numbers are carried on cars. No notice is given direct to crews on the road that the service has been increased by reducing the headway, except by sending them word by a crew of a regular car. The line is equipped with a manually operated block signal. There is no system of train dispatching. The schedule is posted on a bulletin board in the main office in Middletown. The maximum number of passengers carried in one day on the city lines was 5,371; on the suburban line, 17,231. The company employs nine crews in winter, and fifteen during times of heavy travel in the summer season. The additional crews are taken from the extra list.

There is no track connection with any steam road. No foreign cars are handled. Freight and express business is done in the freight cars. Mail is carried on the regular cars. Package express is carried in the smoking room of the combination cars.

The company has agents at Middletown and Goshen, with a waiting room at both these points. At "The Golf Grounds" there is a shelter station which is not inclosed. At Midway park the company owns 32 acres of

ground. Concerts and vaudeville entertainments are given at this point. No liquors are sold on the grounds. No admission to the park is charged.

A five-cent fare is charged between Midletown or Goshen and the park. The through fare from Middletown to Goshen is 10 cents. A 5-cent fare is charged on the city lines in Middletown. Transfers are given between all lines. Six tickets are sold for 25 cents, and good for transfers. No other reduced rates are made.

The company's power house is located at Mechanicstown, two miles from Middletown, equipped with two units: one 350 kw. and one 225 kw., direct connected. Coal is received in steam cars and shoveled from the cars into bin. The company has sufficient power for maximum requirements. One unit is sufficient for the ordinary traffic. Two engineers and two firemen are employed.

The single track of the State hospital line is laid on the west side of the driveway on the bridge over the Erie railroad. This is a through bridge, 107-ft. span, resting on mason work abutments; built in 1895. This bridge should be examined by a bridge expert, and a copy of his report submitted to this Commission.

Near the hospital terminus of this line, the Orange County Light and Power Company's high potential line of three wires, carrying 23,000 volts, crosses the street and over a number of telephone wires and this company's trolley wire. The high potential wires are about seven feet above the trolley wire. There is no protection by cradle or otherwise for the high potential wires at this crossing of the highway.

There are several grades on this line, one of 4½ per cent. for 400 feet, and one of 6 per cent. for 300 feet, the latter being on Wickham avenue, with a curve at the foot of it near the junction of the North street and Academy avenue line. On North street there is a grade with a maximum of 4 per cent. for 500 feet. On North street the single track of this line crosses two main lines and two switch tracks of the Erie railroad. This is a right-angle cut crossing in fair condition. The steam tracks are on a curve, the electric track on a tangent and level. The crossing is protected by gates operated from a tower, and by derails in the electric tracks which are operated by conductors of electric cars. There is a metal trough on the trolley wire, extending over the crossing.

On the Academy avenue portion of this line there is a grade on East Main street with a maximum of 8 per cent. for 200 ft.

On private right of way the track of the Goshen line crosses the highway at Ryerson's bridge over the Erie railroad. The electric track is located at the end of the bridge, with a steep descent on the bridge to the rail. The highway is on a curve across the track. It is a fairly well traveled road. The location of the track near the end of the bridge, with a steep grade descending to it, makes a dangerous condition for street travel; and there should be a cluster of lights suspended over this crossing, burned during hours of darkness; also a crossing sign placed at a conspicuous point near the crossing. From this bridge the track extends on a high bank above the Erie railroad, on a curve, with guard rails, and up an 8 per cent. grade for 100 ft.

The structures on this line were examined, beginning at the Goshen terminus of the line, and in this report are numbered consecutively from that point:

1 Twelve-foot opening constructed of 12 x 12-in. pine stringers on dry wall abutments; in very poor condition; this structure should be renewed.

2. Eighteen-foot opening on a tangent, constructed of 12 x 12-in. oak stringers on mason work abutments, with center mudsills; this structure is in fair condition.

3. Cattle pass constructed of 14-in. I-beams on mason work abutments; opening on a curve; equipped with guard rails; structure in good condition.

4. At Midway park a bridge and approaches over the Wallkill river; on the east end of the bridge, a 12-foot span of 14 x 14-in. pine stringers on dry wall abutments; on uprights bolted to bridge on west end; on a curve

and practically level; bridge a 6-foot plate girder 215 ft., resting on caisson abutments, with two center piers; bridge on tangent and level; chestnut square ties; bridge equipped with guard rails and guard timbers; on the west approach, 17 bent trestle on curve constructed of two 6 x 14-in. pine stringers on timber bents, with batter posts, all pine and oak; trestle equipped with guard rails and guard timbers; the whole structure in fair condition; alignment of track on bridge and approaches good.

5. Bridge over two tracks of the O. & W. R. R.; plate girder bridge alongside a highway bridge 121 ft. long; on a skew; equipped with guard rails and guard timbers, with a curve on each approach, and up a grade to the bridge. This is a new bridge, in good condition, except that on the west end the earth has been washed away behind the abutment. This should be repaired immediately, and the bridge should be painted.

From "The Golf Grounds" the track is constructed along the bank of a creek for a distance of three-quarters of a mile, with a number of curves which are equipped with guard rails; then it is constructed along the highway and up a grade for 400 feet, with a maximum of 7½ per cent. The tracks and roadbed of the Goshen line are in fair condition, but a number of new ties should be put in, especially on all curves. The track needs ballasting. The fencing should be put in proper shape. Crossing signs should be placed at all highway crossings. There are rail braces on some of the curves; all curves of over three degrees should be braced. The overhead line is in fair condition, except that the insulation of a portion of the feeder wire is poor, and where it crosses the track it should be properly insulated. There are no signs or lights at switches.

With the exception of the heavy grades, there are no specially dangerous features on the city line in Middletown, and the track is in fair condition. The right of way is not cleared, and at points the vision of motormen is obstructed by trees and brush, which should be removed. The cars are in fair condition. None of them, except the four double truck cars, have been painted this summer; these were varnished last spring.

In addition to the suggestions contained in this report, to increase the safety of operation of this railroad, this Commission should order the Wallkill Transit Company as follows:

1. To equip its suburban line with a telephone system, with telephones at all turnouts.

2. To equip all the turnouts on its line between Middletown and Goshen with signs showing the names or numbers of switches, with a black letter on a white background, reading in both directions, a cluster of lights to be suspended over such signs and to be burned during hours of darkness while cars are in movement.

3. To prepare a proper running schedule, and install a proper method of train dispatching, including the carrying of proper signals on cars; which shall be approved by this Commission.

4. To equip all highway crossings outside the city of Middletown with crossing signs. This order to be complied with before May 1, 1908.

A copy of this report was transmitted to the general manager of the company, and recommendations are being considered.

POUGHKEEPSIE CITY AND WAPPINGERS FALLS ELECTRIC RAILWAY.

August 31, 1907, I made an inspection of the Poughkeepsie City and Wappingers Falls Electric Railway, and submit the following:

This company's system consists of 15.6 miles of single track and 1.14 miles of second track, of which 7.9 miles is located in the city limits of Poughkeepsie and 7.7 miles in the town of Poughkeepsie. It is constructed of 2 9 miles of 9-inch girder 90-lb. rail, ⅛ of a mile of 6-in. girder, 12.67 miles of 60-lb. T. rail, all on streets and highways. The track is constructed through

two miles of paved street. On the line there are four crossings of steam railroad tracks, of which two are overhead and two at grade.

The track of the Wappingers Falls division extends from the corner of Market and Montgomery streets in Poughkeepsie to the business center of Wappingers Falls, a distance of about 7 miles. It is constructed of 60-lb. T rail, with oak and chestnut ties 5½ to 7½ in. face, 8 ft. long. Track is located along the side of and conforms to the surface of the highway.

The track force consists of a foreman and six men who are regularly employed; in addition, five men are at present employed on the overhead work. About 1½ miles of track on the south side division on Grand avenue, Hooker avenue, and Montgomery streets have been reconstructed during the past year, and reconstruction was in progress on the date of the inspection on Main street between the car barns and Vassar College, it being the intention of the company to reconstruct the track on this portion of the line for a distance of 1½ miles. Two miles of track on the Wappingers Falls line have been repaired by re-tieing, surfacing, and aligning. In the past year about 5,000 new ties have been put in the track on the whole system, and the company has about 3,000 ties on nand. Several new pieces of special work have also been added in the city of Poughkeepsie.

The company owns, available for operation, 20 passenger cars, of these, 6 are semi-convertible single truck, 31 ft. over all; 6 semi-convertible single truck, 28 ft. over all; 6 single truck, open cars, 10-bench; 1 single truck, closed car, 28 ft. over all; and 1 double truck, closed car, 41 ft. over all; also 4 trailers, 8-bench, open cars. The double truck car seats 40; the 31-foot cars, 32; and the 28-foot cars, 28 passengers. All of the closed cars are vestibuled. All are equipped with single chain hand brakes, electric headlights, sand boxes, and heated by electricity. All of the open cars are equipped with single chain hand brakes and sand boxes, chilled wheels, tread 2½-in.; flange, ¾-in. No fenders are used except the life guard in front of the wheel.

All cars are housed, cleaned, inspected, and repaired at the company's car barn on Main street in Poughkeepsie. Cars are inspected every night, and overhauled about once a year or when necessary; they are swept and the windows cleaned every day; three day men and two night men are employed in cleaning, repairing, and inspecting cars. The company has blanks on which motormen report defective equipment, and a record of repairs made on cars or work done on them is kept in a book. Ten of the winter cars have been thoroughly overhauled this season, motors taken out, inspected and repaired, car bodies repaired where necessary, and painted.

All of the passenger cars in service except one have been purchased within sixteen months. All of the open cars are equipped with side bars, which are lowered on double track operation. All cars carry route signs, properly illuminated during the hours of darkness. All of the closed cars except one have center aisle, with rattan, reversible seats.

In addition to the above, the company owns one snow-plow, one sweeper, and one work car.

The maximum weight of cars operated is 16½ tons.

The company has complete motor equipment for all of the passenger cars operated, consisting of, 1 4-motor, 101B Westinghouse, 40 hp.; 1 2-motor, G. E. 800, 25 hp.; 18 2-motor, 101B Westinghouse, 40 hp. All of the above, with the exception of the G. E. 800 equipment, have been put in service within the past sixteen months.

The company buys power in sufficient quantities for maximum requirements of operation. They own the transformers and converters used in the Poughkeepsie Light, Heat and Power Company's station. This power supply is continuous and reliable. The contract in force for the purchase of power continues for four years.

The company operates three city lines, namely: Main street division, South side division, and North side division; and in addition, the Wappingers Falls, a suburban division. Cars on Main street are operated between Vassar College and the river, a distance of 3 miles. All of this line is located on Main street. Cars are operated on 10-minutes headway be-

tween the termini, and a short service of 10-minutes headway between the car barn and the river, a distance of 1½ miles, making a 5-minutes service between these points. The running time between the college and the river is 290 minutes; between the car barn and the river, 10 minutes. Six cars are required on regular schedule on this line.

The South side division is operated on a belt. Leaving the Main street line at Market street, cars are run through Market street, Montgomery street, Hooker avenue, Grand avenue to Main street, operating over the Main street line from Grand avenue to Market street, a distance of a little over one mile. Cars on this line are run in each direction on 30-minute headway. The running time is 30 minutes, and two cars are required in operation.

The North side division is operated on a belt leaving the Main street line at Washington street, and running through Washington street, Parker avenue, Clinton street, Cottage street, Smith street to Main street, and running on Main street between Smith and Washington streets a distance of about half a mile. Cars on this line are operated on a 20-minute headway, running in both directions. The running time is 20 minutes. Two cars are required in operation.

Cars on the Wappingers Falls line are operated through Market street in the city of Poughkeepsie, over the track of the South side line, to Montgomery street, a distance of ⅓ of a mile, then on the suburban line to Wappingers Falls, a distance of 7 miles. Cars on this line are operated on an 80-minute headway. The running time is 40 minutes. One car is required on the schedule. On the Wappingers Falls line the first car leaves Poughkeepsie at 6:40 a. m., the first one leaves Wappingers Falls at 7:20 a. m. The last car leaves Poughkeepsie at 10:40 p. m., and the last one leaves Wappingers Falls at 11:20 p. m. The last car leaving Poughkeepsie waits for the theater travel. Extra cars are occasionally run. On this line there are five turnouts. When extra cars are run they are run as sections of the regular run, and at no time is there an opposing car on the line. For this reason no signals are carried, except in cases where sections are run a car preceding another carries oil tail-lights.

The company has a book of rules and a published time-table of all lines. The number of crews required on the whole system on the winter schedule is 18, and the maximum number on the summer schedule is 20. The extra men are taken from the waiting list. All of the cars except the Wappingers Falls line pass the corner of Market and Main streets and run through Main street between the car barn and Market street, a distance of about half a mile. This method of operation adds to the convenience of passengers, as the retail district of the city is located along Main street between these points. It also adds to the convenience of transfer. The maximum number of passengers carried on the city lines in one day this season was 14,814. The maximum number carried on the Wappingers Falls line in one day this past season was 1,900.

On the winter schedule 11 cars are required. The company has available 14 cars for this class of service. The schedule requirements for summer operation are 11 cars. The company has available 20 cars which can be used for summer operation. They have sufficient cars for ordinary extra travel, but at times of unusually heavy travel, such as on fair days, the traffic requires more cars. With this present equipment during fair time, a two-minute headway is run on the south side division, which extends to the fair grounds. This is done without interfering with the schedule operation of the other lines. During fair time and at other times of heavy travel, trailers are used. When this is done, the trailers are coupled with draw bar couplings and there are two men on each car.

The operating force consists of a general manager and a superintendent.

A 5-cent fare is charged on all the city lines and in the city limits on the Wappingers Falls line. A through fare of 15 cents is charged on the Wappingers Falls line, with three 5-cent divisions. Transfers are given in the city limits.

A large portion of the track in the city of Poughkeepsie is not in good condition. The 9-in. girder construction in the paved streets is first class. On Main street, between Washington street and the terminus near the Hudson river, about ¾ of a mile, there is a continuous grade descending to the river with a maximum of 10 per cent. On Clinton street, the track crosses a switch track of the Poughkeepsie and Eastern railroad on a street bridge 23-ft. 6-in. span with mason work abutments in fair condition. The portion of the bridge on which the track is located has been strengthened by two 9-in. girder rails under each traction rail. This bridge is not of sufficient strength for the safe operation of cars over it, and has been strengthened by the construction of a temporary bent under the center of the stringers. This bridge should be replaced.

On Parker avenue, the single track of the electric line crosses the single track of the Hospital line of the Poughkeepsie and Eastern railroad, operated by the Central New England Railroad Company. This is a diagonal cut crossing in fair condition. The view of the steam track from the electric track is limited in each direction. There is a depot on the steam track near the crossing. No passenger trains are run over the crossing. There are six or seven freight movements over it daily. All steam trains stop and flag over the crossing, and all electric cars also stop and flag. There is a light up grade on the electric track to the crossing on either side of it. There should be a metal trough placed on the trolley wire extending over this crossing.

About 700 ft. west of the above crossing the single track of the electric line crosses a single switch track of the Central New England railroad. The steam track is on a curve. No passenger trains are operated over it. All steam trains and electric cars stop and flag. It is a special work, diagonal cut crossing, in fair condition. There should be a metal trough placed on the trolley wire extending over the crossing.

The track of the Wappingers Falls line, which is constructed of 60-lb. T rail, is not in first-class condition. The alignment on curves is not good. There are a number of low and loose joints. At a number of points it is below the level of the driveway. On portions of the line the grass is above the top of the rail. In the village of Wappingers Falls there is a 5½ per cent. grade descending to the terminus of the line, 600 ft. At what is known as "the hill" there is a grade descending towards Poughkeepsie with a maximum of 11½ per cent. for 400 ft., with an easy curve at the foot. There is another grade between "the hill" and Poughkeepsie, with a maximum of 7½ per cent. for about 200 ft., with a curve at the foot. There are also a number of grades of less per cent. on the line.

The track is constructed across the highway at two points where the road has been made under the "good roads act." There is a large amount of travel on this highway, and it is a popular one for automobiles.

A large portion of the track in the city of Poughkeepsie, while not in a dangerous condition to operate over, is not in good condition. These portions should be reconstructed as soon as practicable.

The location of the track of the Wappingers Falls line along the highway has resulted in a number of heavy grades and sharp curves. On this account, safety of operation requires that it be of first-class construction and maintained in proper condition. The rail is of sufficient weight, with proper splices. A large number of ties should be renewed, especially on the curves. The track should be raised to the level of the driveway. The whole line should be weeded, and all of it, with the exception of a small portion, should be ballasted, surfaced, and aligned.

The dangerous features in the operation of the city lines are the heavy grades on Main street below Washington street. Proper precautions have been taken to insure the safety of passengers on this portion of the line. A barrier has been placed at the terminus of the line near the river to stop runaway cars. During the work of reconstruction of the New York Central bridge, a barrier has also been placed on the up track at that point. In addition to the cars being equipped with sand boxes, a man is employed

sanding the track. As the cars operated on this portion of the system are all single truck, no suggestion is made for their equipment with air brakes.

Special care should be taken in the inspection of cars operated on the Wappingers Falls line, which should be done on each round trip, special attention being given to the condition of brakes and sand boxes. The double truck car, which is run on this line, should be equipped with power brakes. At the point where the track crosses the highway, safety of street travel as well as of car operation would be increased if a cluster of lights was suspended over the track at the crossing and burned during hours of darkness. The service furnished on this line has been a subject of serious complaint by the patrons of the road, especially people residing in Wappingers Falls. These complaints seem to be justified, as an 80-minute service on a road of this character, 7 miles in length, operating between a city of 25,000 and a village of 3,500, is not sufficient to properly accommodate the public, and cars should be run on shorter intervals.

In the village of Wappingers Falls the terminus of the line is on West Main street at its intersection with Main street. The latter street crosses a bridge, with a down grade to West Main street. The view from Main street, of a car standing at the end of the track, is obstructed, making a dangerous condition for street travel, especially for automobiles, as there is barely room for a vehicle to pass between a standing car and the curb on West Main street. If the track were extended across Main street, cars standing at that point would not obstruct street travel.

The company should provide a waiting room for passengers at the Wappingers Falls terminus.

To increase the safety, comfort, and convenience of passengers on this railroad, the following recommendations are made: That the Commission order the Poughkeepsie City and Wappingers Falls Electric Railway Company, as follows:

1. That it equip the double truck car operated on the Wappingers Falls division with power brakes, this to be done before May 1, 1908.

2. That it surface, ballast, and align its track, and where possible, reduce the degree of curvature and the per cent. of grades on the Wappingers Falls line between Poughkeepsie and Wappingers Falls; as much of the work as possible to be done this fall before the winter season commences the balance to be completed as soon as possible in the spring of 1908.

3. Commencing October, 1907, that it run cars on its Wappingers Falls line between Poughkeepsie and Wappingers Falls on a forty-minute headway during all hours on which they are at present operated.

4. That it place a stop sign at the top of "the hill" on the Wappingers Falls line, and issue and enforce a rule that all cars come to a stop before descending the grade at this point; this order to be complied with within thirty days of the acknowledged receipt of the order.

5. That guard rails be placed on the curves at the foot of "the hill" on the Wappingers Falls line and at the foot of the 7½ per cent. grade; this work to be done not later than May 1, 1908.

6. That metal troughs be placed on the trolley wires extending over both of the crossings of the Poughkeepsie and Eastern railroad tracks; this order to be complied with not later than May 1, 1908.

Also, that this Commission recommend to the Poughkeepsie City and Wappingers Falls Electric Railway Company:

1. That it continue the work of reconstruction of track in the city of Poughkeepsie so that all of it will be put in proper shape as soon as practicable.

2. That it extend the track of the Wappingers Falls line across Main street, as suggested in the body of this report, and that cars when standing in Wappingers Falls occupy the extended track.

3. That it provide a suitable waiting room in Wappingers Falls for its passengers.

4. That it erect clusters of lights, suspended at points where the track crosses the highway between Poughkeepsie and Wappingers Falls, and that these lights be kept burning during hours of darkness.

5. That special precautions be taken to keep the track clear of leaves during the fall season of the year on all portions of its system, especially on the Wappingers Falls line.

6. That all cars operated on the Wappingers Falls line be inspected, especially as to brakes and sand boxes, on each round trip.

7. That it inform the mayor of the city of Poughkeepsie of the weak condition of the present bridge on Clinton street over the tracks of the Central New England railroad and of the necessity for a new structure at that point.

A copy of this report was transmitted to the president of the company, who replied that the recommendations as to repairs and betterments would be complied with; and that recommendations as to extension of track, bridge, etc., would be given consideration.

FISHKILL ELECTRIC RAILWAY.

On September 27, 1907, I made an inspection of the Fishkill Electric Railway, and submit the following:

This railroad, which is single track, extends from the junction of the tracks of the Citizens Street Railway Company at the corner of Fishkill avenue and North street in the village of Matteawan, to Fishkill village, a distance of 4 miles, all on streets and highways. Constructed of 56-lb. T rail. There are no crossings of steam tracks. The maximum grade on the line is 7 per cent.

The Citizens Street Railway Company owns the cars operated on this railroad, and that company also furnishes the power for operation, and maintains the track of this company.

The track of this road is constructed through the center of the main street of Fishkill, and on the line between Fishkill and Matteawan there are a number of grades and curves, the maximum grade being 7 per cent. All curves at the foot of grades are equipped with guard rails. At one point the track is constructed on a high bank above the track of the Central New England road, and on a curve and down a light grade. At this point there is a guard rail on the outside rail and a guard timber along the inside of the track. The track of this railroad is in fair condition.

As this road is operated and maintained by another company, no recommendations for the improvement of conditions on it are made in this report.

CITIZENS STREET RAILWAY.

On September 27, 1907, I made an inspection of the Citizens Street Railway Company's system (Fishkill), and submit the following:

This system extends from Fishkill Landing depot to the foot of the inclined railway at Mount Beacon, a distance of 2.5 miles, all on private right of way except about one thousand feet near the terminus at the incline. The track is constructed of two miles of 7-in. girder and half a mile of 45-lb. T rail.

The company owns 19 car bodies: 7 closed and 12 open. The closed cars are all 24 ft., with screened vestibules, curtains on one side; heated by stoves; equipped with sand boxes and Peacock brakes; four 8-bench and eight 9-bench open cars, with double chain hand brakes and sand boxes. Thirteen 2-motor equipment, as follows: 6 W. P. 30, 25 hp.; 2 G. E. 67, 35 hp.; 2 G. E. 800, 25 hp.; 3 Westinghouse 101B, 40 hp. The six W. P. 30 motors have been in service 15 years; the two G. E. 67's, 5 years; the two

800's, 10 years; and the three 101B's, 2 years. Three diamond 7-ft. wheel base; two Taylor 7-ft. wheel base; seven Taylor 6-ft. 6-in. wheel base; all single trucks. In addition to the above equipment, the company has one nose snow-plow and two flat cars which are not equipped with motors.

The power house is located at Matteawan, equipped with two 90 kw. generators, belted, one to a jack shaft and one to an engine 150 hp.; also one G. E. 200 kw. generator, belted to a jack shaft driven by steam and water. All current is d. c., 550 volts.

Cars are housed, cleaned, inspected, and repaired in the car barn at Matteawan, at which point three men are employed in this work. Cars are inspected every night. They are swept and dusted each night, and washed, inside and out, once a week. The company has storage capacity for all cars owned.

During this season the company has employed from twelve to fifteen men in reconstructing track; 1,500 new ties, chestnut, 7-in. by 7-ft. have been put in; the route has been changed at Fishkill avenue in Matteawan for 1,400 ft., which has been constructed with new T rail.

This company operates the Fishkill Electric Company, and on the combined systems there are two lines of cars operated, one the Fishkill village, the other the Mount Beacon line. Cars on the Fishkill village line run from the depot at Fishkill Landing to Fishkill village, a distance of 5 miles, running from the depot through Ferry street, Main street, Fishkill avenue to the terminus. These cars are run on one hour headway from 6 a. m. to 10:10 p. m. The running time is 35 minutes, and one car required on the schedule. Extra service is run Saturday afternoon and evening, also on Sundays and holidays, at which times a 30-minute headway is maintained, with three cars in operation. These cars run over the tracks of the Fishkill Electric railway from Fishkill avenue and North street to the terminus, 4 miles.

Mount Beacon cars run from the depot at Fishkill Landing to Mount Beacon, 2.5 miles, running from the depot through Ferry street, Main street, Washington street, Vail avenue, Prospect street to the terminus. On this line cars are operated between the depot and Washington street, a distance of 2 miles, on a 10-minute headway from 6 a. m. to 9 a. m, and from Washington street to the terminus on one hour headway. From 9 a. m. to 7:45 p. m. they are run through to Mount Beacon on a 10-minute headway. From 7:45 p. m. to 10:20 p. m., on one hour headway. On the 10-minute through service, four cars are required.

Designation of routes is made by flags carried on cars. No trailers are run. Double headers are run as traffic requires. Oil tail-lights are used on cars on both lines. In addition to the sand boxes on cars, there is a man employed sanding the track on the heavy grade between Bank square and Fishkill Landing depot. The men in the car barn are held responsible for the condition of sand boxes. During the winter season seven crews are employed; the maximum during the summer season is thirteen. The company has no book of rules or printed schedule. The maximum number of passengers carried on this system in one day during the past season was 11,244. Express packages and mail are carried on regular cars.

The fare between Fishkill Landing and Fishkill village is 10 cents. A 5-cent fare is charged between Mount Beacon and the Landing depot.

At the Mount Beacon terminus there is a loop constructed of 45-lb. T rail, on private right of way, and on the line between this terminus and Fishkill creek there are a number of heavy grades: one on Washington street with a maximum of 11 per cent. for 150 ft., with a tangent at the foot; and another one on Main street of 8 per cent. for 100 ft., with a curve at the foot.

The track is laid over the Fishkill creek on a street bridge with a 63-ft. span on mason work abutments. The bridge is a Phœnix column truss deck bridge, with a track laid on one side of the driveway. This bridge should be examined by a bridge expert, and a copy of his report submitted to this Commission.

In the village of Matteawan the single track of this line crosses a single track of the Central New England railroad at grade. The electric track is on a curve, the crossing is a diagonal one with the ball of the steam rail cut. The approach on the east side is on a curve with a guard rail, and up a grade of 8½ per cent. for 150 ft. On the west side the track is on a descending grade to the crossing of 4 per cent. on a curve for 100 ft. On the west side of the crossing the electric track forms a junction with the track of the Fishkill Electric railroad. There is a metal trough on the trolley wire extending over the crossing. All electric cars stop and conductors flag. The company has new special work for this crossing, which I am informed will be placed in position in the near future. On account of the conditions on either side of the crossing, no suggestion is made for derails at this point. From this crossing the line extends through the villages of Matteawan and Fishkill Landing to Bank square, with reconstructed 7-in. girder track, in good condition, except the special work on turnouts. From Bank square the track is on a descending grade for ¼ of a mile to the N. Y. C. & H. R. R. R. bridge. This grade, a larger portion of the distance, is 5½ per cent. with a maximum of 11 per cent. for about 100 ft. on the approach to the bridge. The track on the bridge and the approach is at the foot of a grade and on a curve, with rail in very poor condition. From the bridge it is constructed with 45-lb. T rail in poor condition, to the terminus at the depot.

The girder rail track of this railroad is in good condition, except the turnouts, which are in very poor condition and should be renewed. The condition of the track on the approach to the N. Y. C. R. R. bridge at the foot of the heavy grade in Fishkill Landing is such that there is a possibility of a runaway car leaving the track and going off the bridge. This track should be immediately reconstructed with proper rail and guard, to prevent such an occurrence.

The cars are not in first-class condition. As will be seen from the description of the motor equipment, a large number of them have been in use for several years. No painting of cars has been done during the past year, but all were painted and overhauled the year previous. On account of the heavy grades, close attention should be given to the inspection and repair of equipment, especially trucks and sand boxes.

There are five turnouts on the girder portion of the track which should be reconstructed, as should also the special work at the car barn.

The company has a sufficient number of cars for maximum requirements, and also a sufficient and reliable power supply.

Safety of passengers on this railroad requires that the suggestion contained in this report in reference to the reconstruction of track on the approach to and over the N. Y. C. R. R. bridge in the village of Fishkill Landing should be complied with; and this should be done not later than January 1, 1908.

A copy of this report was transmitted to the president of the company, and is under advisement.

PORT JERVIS ELECTRIC LIGHT, POWER, GAS AND RAILROAD COMPANY.

September 24, 1907, I made an inspection of the Port Jervis Electric Light, Power, Gas and Railroad Company's system, and submit the following:

This road, which is single track, extends from Tristates through the city of Port Jervis to Germantown, a distance of 3.3 miles, with a branch from the main line at Pike and East Main street in the city of Port Jervis, to Culver street, one mile, all located on streets. Constructed of 56-lb. T rail with 4-bolt splices. On the line there is one over, one under, and one grade crossing of steam railroad tracks. The maximum grade on the line is 12 per cent. for 400 ft.

The company owns six car bodies: three closed and three open; the closed cars are 26 ft. over all, vestibuled; heated by electricity; equipped with

single chain brakes, sand boxes, and oil headlights; the open cars are 8-bench with the same equipment, except there are no sand boxes on them; wheels, 3-in. tread; ⅞-in. flange. Three trucks equipped with two G. E. 800; one with G. E. 52.

The power house is located at Jersey avenue, corner of O. & W. crossing. Equipped with one 60 kw.; one 85 kw., both belted: one to 120 hp. Russell engine, and one 85 hp. motor.

There are two lines of cars operated: one the main line, the other the branch line. Cars on the main line are run on forty-minute headway from 6 a. m. to 10 a. m., and from 10 to 12 p. m. From 10 a. m. to 10 p. m. on thirty-minute headway. Cars on the branch are operated on the same schedule. Two cars are required on the main line, and one on the branch line. Maximum number of passengers carried in one day this year was on September 19th, 2,300.

Last year about 900 new ties were put in the system. There is no regular track force employed.

On Ball street the track is on a descending grade to a grade crossing on the Ontario and Western railroad for a distance of 360 ft., with a maximum of 9 per cent. This grade is on a tangent, with a tangent at the foot of it. On Ball street the single track of this line crosses one main line and one switch track of the Ontario and Western railroad. This crossing is about half-way down the 9 per cent. grade. It is a right-angle cut crossing in good condition. There is a derail in the electric track on the uphill side of the crossing, which is not at present properly operated. On the date of inspection it was set to derail a car with a rubber plug in the tongue of the derail. The point of the derail is 75 ft. from the steam rail. Electric cars come to a stop at the top of the hill, and the conductor goes on to the steam track, then goes back to the derail and sets it straight for the main track. There is no copper trough on the trolley wire. There is an automatic bell at the crossing. The derail should be connected and operated from a point at or near the crossing.

On West Main street the single track of this line crosses the Erie railroad tracks on a street bridge. On the west side, the approach to the bridge is on a curve and up a grade for 400 ft., with a maximum of 6 per cent. This is a through bridge with 132-foot span, on mason work abutments. The electric track is laid on the north side of the bridge with a clear driveway of 9 ft. I was informed that the bridge was maintained by the Erie Railroad Company. This bridge is not in first-class condition, and if it is maintained by the Erie Railroad Company, that company should be requested to have it examined by its engineers, a copy of whose report should be submitted to this Commission.

The track of this road, with the exception of several short sections, is in very poor condition, the rail badly worn, joints low and loose, alignment poor. The cars are in poor condition. The equipment old and worn. Cars are not properly maintained, are not clean, and need painting.

The whole system, including track, roadbed, and equipment, is such that the safety, comfort, and convenience of passengers require that the track and roadbed be immediately reconstructed, and that new and proper equipment be procured. In its present condition, the operating expenses are far in excess of what they should be, and unless the above suggestions are complied with, the operation of this road must necessarily cease, from financial considerations if for no other reason. This company should be cited to appear before this Commission to show what their intentions are with reference to putting the property in proper shape.

A copy of this report was transmitted to the president of the company; and later, complaint was made by the board of health of Port Jervis as to the condition of cars. All matters connected therewith are now under consideration.

AUBURN AND SYRACUSE ELECTRIC RAILROAD.

August 16, 1907, I made an inspection of the Auburn and Syracuse Electric Railroad Company's system, and submit the following:

This system consists of the city line in the city of Auburn and the interurban line between Auburn and Syracuse. In the city of Auburn there are 11.8 miles of single track constructed of 1.8 miles of 9-in. girder, 3.9 miles of 6-in. girder, 3.4 miles of 90-lb. T rail, 0.4 of a mile of 70-lb. T rail, 0.8 of a mile of 60-lb. T rail, 0.7 of a mile of 58-lb. T rail, and 0.8 of a mile of 45-lb. T rail. The track in the city of Auburn is constructed through 4.2 miles of paved street, as follows: East Genesee street, 0.4 of a mile of 9-in. girder, laid in 1897; East Genesee street, 0.6 of a mile of 6-in. girder, laid in 1902; West Genesee street, 0.9 of a mile of 90-lb. T rail, laid in 1907; West Genesee street, 0.2 of a mile of 9-in. girder, laid in 1907; Owasco street, 0.8 of a mile of 90-lb. T rail, laid in 1905; State street, 0.5 of a mile of 9-in. girder, laid in 1905; North and South streets, 0.8 of a mile of 6-in. girder, laid in 1902.

The interurban division extends from car barn on Franklin street in the city of Auburn to the city line of Syracuse, a distance of 23 miles. It is constructed of 60 and 70-lb. T rail, with 6-bolt splices. Standard ties, oak and pine. Gravel ballast. It is double track from the city line of Syracuse to the village line of Skaneateles, a distance of 19 miles; and single track from the village of Skaneateles to the city line of Auburn, a distance of 7 miles. Between the former points it is located on private right of way, and between Skaneateles and Auburn it is located alongside of and conforms to the surface of the highway. There are a number of heavy grades on this portion of the line, with a maximum of 9 per cent. for 300 ft. Between Skaneateles and Syracuse the maximum grade, which is in the village of Skaneateles, is 7 per cent. for 100 feet. There are four grade crossings of steam railroad tracks, all of which are in the city of Auburn, and one over crossing on the interurban line.

In the city of Auburn the track crosses the Owasco creek on Genesee street on a city bridge. On North street it crosses the Owasco creek on a trussed girder 50-ft. clear span. On State street, it crosses the Owasco creek on a trussed girder, 75-ft. clear span. At Lakeside park it crosses the Owasco creek on a through trussed bridge, 48-ft. clear span. On Aurelius avenue it is constructed on a stone arch, city bridge.

On the interurban line there are:

1. Plate girder, stone masonry, 18-ft. span.
2. Plate girder, stone masonry, 14-ft. span.
3. Plate girder, stone masonry, 12-ft. span.
4. One track, timber stringers, 10 x 14-in. concrete, 10-ft. span; the other track, concrete top.
5. One track, timber stringers, 12 x 12-in. concrete, 7-ft span; the other track, concrete top.
6. 10 x 14-in. timber stringers, concrete, 12-ft. span.
7. 10 x 14-in. timber stringers, concrete, 12-ft. span.
8. Concrete top, 10-ft. span.
9. 10 x 14-in. timber stringers, concrete, 12-ft. span.
10. Plate girder, concrete, 60-ft. span.
11. Plate girder, concrete, 15-ft. span.
12. Viaduct, plate girders 66-ft. span, and 60-ft. span with steel trestle approach, 465 ft. long, 30-ft. spans on concrete abutments and pedestals; single track only on this bridge.
13. 10 x 14-in. timber stringers, concrete, 14-ft. span.
14. One track, timber stringers, 12 x 12-in. concrete, 8-ft. span; one track, concrete top.
15. One track, timber stringers, 10 x 14-in. concrete, 12-ft. span; one track, concrete top.
16. Trussed girder (Skaneateles), masonry, 35-ft. span.

All of the bridges in the city of Auburn, except the arches on Aurelius avenue and the bridge at Genesee street, are frequently inspected by the

company. These two bridges are only susceptible to a casual inspection, and both are considered safe for the loads which pass over them. The State street bridge was erected by the company four years ago, and was calculated for 50-ton cars. The North street bridge was erected by the company in 1896, and is at present considered safe for 15-ton cars. No heavy interurban cars are operated over this bridge. The bridges from No. 1 to No. 16 were built by the company, and are calculated for 40-ton cars, with a unit stress of 12,000 lbs. and an allowance for impact of 80 per cent.

The company owns, available for operation, 43 passenger cars: 31 closed and 12 open. Of the closed cars: 10 are 50 ft. over all, vestibuled, double truck; 2 are 40 ft. over all, vestibuled, double truck; all of these are constructed with smoking compartments; there are no toilets on these cars; all of them are used on the Interurban division. There are also two open, center aisle cars, seating 64 people, double truck, used in the interurban service; nineteen 20-ft. bodies, single truck city cars.

All closed cars are equipped with electric heaters. All double truck cars have air brakes in addition to the hand brakes, and have sand boxes. All single truck cars are equipped with single chain hand brakes. All interurban cars have arc headlights and carry two oil tail-lights. They are equipped with flags and lanterns. No single truck cars are run on the interurban line. All wheels on the interurban line are steel tired, 3-in. tread, flange ⅞-in.

All cars are housed, cleaned, and inspected at the car barn at the east city line of Auburn.

In addition to the passenger cars, the company has two express cars, two work cars, four snow-plows: two rotary and two nose; and one sweeper.

Eight crews are required on the winter schedule on the interurban line, and the maximum number employed during the summer season is eighteen crews. The additional men are taken from the city line. No new men are broken in on the interurban line. The interurban cars are equipped with fire extinguishers. They carry no wrecking tools.

The company's power house is located at the east line of the city of Auburn, and is equipped with two 650 kw. units, direct connected. There are two transformer stations, one at Skaneateles and one at Howlett's Hill. The Skaneateles sub-station is 8 miles from the power house; and Howlett's Hill, 20 miles. In the Skaneateles transformer station there are two 400 kw. transformers, and at Howlett's Hill there are two 400 kw. transformers. The transmission is made at 16,500 volts. The line is on the company's poles, and on private right of way around the village of Skaneateles.

During the summer season the company has four gangs, consisting of a foreman and eight men each, and during the winter season four gangs consisting of a foreman and five men each. Of these, two gangs are permanently employed on the interurban line, one on the city line, and a floating gang.

During the past year the double track from Syracuse to Skaneateles, 19 miles, has been completed. A common center loop in the city of Auburn has been constructed, as has also the double track along West Genesee street from State street to the Lehigh Valley tracks, about one mile.

During the winter season the interurban line is operated on a 40-minute headway. The running time is one hour and twenty minutes. Four cars are required on this schedule. On the maximum summer schedule cars are run on a 20-minute headway. Nine cars are required on this schedule. The line is double track from Syracuse (center) to Skaneateles, 19 miles, and single track from Skaneateles to the terminus of the line in the center of the business portion of Auburn, a distance of about 8 miles, with about half a mile of double track in the city of Auburn.

On the line there are agents employed at Marcellus, Auburn, and Syracuse. There are 18 shelter stations on the road which are inclosed, and lighted and heated when necessary.

The road is equipped with a telephone system, and there are jack boxes located at each switch and at the stations. Each suburban car is equipped with a portable telephone set. At the junction of the double tracks in

Skaneateles there is a manually operated lamp signal. The company has a running schedule which is distributed to car crews and other employees. This schedule does not show train numbers. Regular trains are run in sections as traffic requires. When this is done the sections are run ahead of the regular car. Signals are carried indicating "car following". No train numbers are shown on cars. The company has a printed book of rules.

On the single track portion of the interurban line, cars have arbitrary meeting points, and in accordance with a posted bulletin, lay on switches 15 minutes before calling up the superintendent for orders. If the opposing car has been derailed or detained for an unusual length of time, orders are issued by the superintendent or his assistant for the car to proceed. The orders are not issued in proper form, as the superintendent nor his assistant makes no copy of such orders, nor are the orders written by the crews receiving them. When entering on the single track at Skaneateles, crews set the lamp signal at red, and when entering on the double track at that point, set it at white. Their rules require that no car enter the single track at this point unless signal shows white.

There are eight lines of cars operated in the city of Auburn, on an average of 10-minute headway.

Lakeside park is a pleasure resort located on Owasco lake. There are two lines of cars operated to and from this resort, the Owasco and the South side lines. During the season, on afternoons and evenings, cars are run on these lines on a 5-minute headway, and at times of unusually heavy travel, double headers are run. No oil tail-lights are used on these cars.

The maximum number of passengers carried on the city lines in one day during the past season was 21,922; on the interurban line, 8,325.

The maximum weight of interurban passenger cars operated is 34 tons.

On the State street division on State street, the single track crosses at grade, two tracks of the Auburn division of the New York Central and Hudson River railroad. The steam tracks are on a curve. The electric tracks are on a tangent, and practically level. This is a special work cut crossing, in fair condition. The crossing is located west of the Auburn depot, at which point all passenger trains stop. The crossing is protected by a flagman on duty from 7 a. m. to 7 p. m. This man is in the employ of the N. Y. C. & H. R. R. R. company. There is no metal trough over the trolley wire extending over the crossing. The electric company's rules require that all cars come to a stop, conductors to go ahead and flag the crossing. The view of the steam tracks to the west is limited. There should be derails in the electric track, each side of the crossing, these to be operated by conductors of electric cars. A metal trough should be placed on the trolley wire, extending over the crossing.

On the Seymour division on Aurelius street, the single track crosses one main track of the Fairhaven branch of the Lehigh Valley railroad. On the east side of the railroad track and 100 feet from it there is a sharp curve in the electric track, and from the curve the track is down a light grade to the crossing. On the west side the track is up a 2½ per cent. grade for 150 feet. This is a special work cut crossing, in fair condition. It is protected by gates operated from a distant tower from 7 a. m. to 7:20 p. m. There is a metal trough on the trolley wire. The gates are operated during all hours when regular schedule trains are run. On account of the operation of the gates, and in consideration of the up grade on the east side of the crossing, at which point all cars must run slow, and the fact that the rules require conductors to flag their cars over the crossing, no suggestion is made for derails at this point.

On the Genesee street division, east, the track crosses at grade the single track of the Owasco river railroad. This is a special work cut crossing, in fair condition. There is a metal trough on the trolley wire. The view of the steam track is obstructed in each direction. Trains flag the crossing, as do also the crews of electric cars.

On the Owasco division the track extends to Lakeside park, and a portion of the distance is located on the side of the highway. There is a loop at

the park terminus. Considerable work has been done on the T rail portion of this line in weeding, surfacing, and aligning track. The rail is light and the frogs are worn. The grades are not excessive and the conditions are not dangerous for operation, but on account of the volume of travel it should be at least maintained in its present condition, and the frogs should be replaced.

On the South street division the track is in fair condition but not first class. There is a 5 per cent. grade at Lincoln street, with a tangent at the foot of the grade. There are no especially dangerous conditions on this line.

On the North street division the track crosses at grade the single track of the Owasco river railroad. The crossing is at the foot of a 4 per cent. grade on the electric track. There are gates on the steam tracks. Trains are flagged over the crossing. There is a metal trough on the trolley wire. The track of this division is in fair condition. There are several grades on the line, but with proper precautions in operation they are not considered dangerous. On the interurban division on the Skaneateles and Syracuse portion of the line, there are a number of curves, all of which have good alignment and proper elevation. Some of them are braced. The fills have proper shoulder, and cuts are well ditched. The track is maintained in first-class condition of ballast, surface, and alignment. The right of way is clear of brush and trees. The fencing is not in first-class condition. There are highway crossing signs. On this portion of the line there are two sections of single track, one on a curve in Marcellus. The view of this single track is limited from either end, and the track at this point is practically level. Marcellus station is located on this single track portion, and all cars stop at this point. There are about 500 ft. of single track on the viaduct and approaches over the Marcellus and Otisco lake railroad. This single track is on a tangent, and there is a clear view of it from either end. Both of these single track sections are protected by automatic signals. The track from Skaneateles to Auburn is in fair condition, but not first class for the traffic which passes over it, and does not compare favorably with that portion between Syracuse and Skaneateles, which is A No. 1 steam construction.

While the track between Auburn and Skaneateles is in fair condition, its location on the highway, with the numerous heavy grades and curves, is such that the safety and convenience of passengers would be increased if it were reconstructed on private right of way. The company employs a sufficient track force to properly maintain the track and roadbed. The condition of the fencing should be improved. The structures on this division of the system are in good condition, and are considered sufficiently strong for the cars which pass over them. The cars and the equipment operated on the interurban division are first class, and are maintained in good condition, clean and comfortable. The company has ordered one additional car, and has a sufficient number for ordinary requirements of excursion business. All of the closed cars operated on the interurban division should be equipped with wrecking tools.

For the reason that a large portion of the cars and equipment operated in the city of Auburn have been in service for a number of years, they should be maintained in the best possible condition; thoroughly inspected daily; necessary repairs promptly made to avoid breakdowns, which cause delay to traffic and inconvenience to the public. The cars should be kept clean and properly heated when necessary.

The company has a sufficient power equipment for maximum requirements of operation, but during the heavy travel of the summer season the operation of both units in the power house is necessary. If one should become disabled, there would not be sufficient power to properly operate the road at such times. The company has plans complete to reinforce its power supply by power from another power house owned by it. It is expected this will be done the coming winter,

The interurban division of this system has been in operation four years. A portion of that time it was entirely single track. There has never been a head-on collision on it. This is a remarkable record, considering the volume of traffic. Notwithstanding this fact, the methods of operation should be improved in some particulars. The ideal method of operation from the standpoint of safety only, is for cars to lay indefinitely at meeting points for opposing cars, but this at times causes inconvenience to passengers. On this road the rules require cars to lay 15 minutes, when they may, under certain conditions, be given orders to proceed. Where orders effecting the movement of cars are given, no matter how infrequent, safety requires they be issued in a proper manner, and only one person at any one time should have authority to issue such orders.

The signal at the junction of the double track at Skaneateles is not considered sufficient precaution at that point, especially as now operated, as it could be maliciously changed from red to white; but even if placed under lock and key, as it should be, safety of operation would be increased if a register book were placed at that point and the crews of all cars were required to register before entering upon and when leaving the single track. The possibility of collision on the single track portion of the line would be reduced if train numbers were shown on the time-table and displayed on cars.

To increase the safety of operation on this company's system, the following recommendation is made: That the Public Service Commission, Second District, State of New York, order the Auburn and Syracuse Electric Railroad Company, as follows:

1. That it cause a register book to be placed at Skaneateles junction, and issue and enforce a rule that all crews register their arrival and departure at this point; this rule to be put into effect within thirty days from the acknowledged receipt of this report.

2. That it equip all the closed cars operated on its interurban line with wrecking tools; this order to be complied with by January 1, 1908.

3. That it prepare and distribute to employees a printed running schedule, which shall show the time at termini and intermediate meeting points, and which shall show train numbers, on its interurban division.

4. That it cause train numbers to be displayed on the front end of all cars operated on its interurban division.

5. That it equip all the turnouts on the single track portion of the interurban line, between Auburn and Skaneateles, with signs showing the name or number of each switch, conforming to the time-table; the name or number to be in black letters on a white background, reading in both directions, and conspicuously located.

Orders 3, 4, and 5 to be complied with by May 1, 1908.

6. That it place derails in its track on either side of the crossing of the N. Y. C. & H. R. R. R. track on State street, in the city of Auburn, these derails to be operated by the conductors of electric cars; also, that it place a metal trough on the trolley wire across this crossing; this order to be complied with by May 1, 1908.

7. That during the summer season, when double headers are run on the Owasco or South street lines, all cars immediately followed by another shall, during hours of darkness, be equipped with oil tail-lights on the rear end of the car.

Also that the Public Service Commission, Second District, State of New York, recommend to the Auburn and Syracuse Electric Railroad Company, as follows:

1. That it reconstruct the T rail portion of the track on the Owasco line in the city of Auburn with heavier rail and new special work on all turnouts.

A copy of this report was transmitted to the president of the company, who replied that the minor recommendations would be complied with; and asked for a hearing as to derails at steam railroad crossing. Granted.

BINGHAMTON RAILWAY COMPANY.

August 22, 1907, I made an inspection of the Binghamton Railway Company's system, and submit the following:

This system consists of 18.9 miles of single track and 12.55 miles of double track. On the system there are seven crossings of steam railroad tracks: four under crossings, one over and two at grade. The maximum grade is 7½ per cent. for one-half mile.

On the State hospital line, from the State hospital, the track is on a descending grade for ½ mile, with a maximum of 7½ per cent.

On the Lestershire division, on Court street, the double tracks are laid on a plate girder deck bridge over the Susquehanna river, with three center piers; the tracks are laid on the center of the bridge, with a driveway with brick pavement on either side of them; this bridge is in good condition. The double tracks of this line are constructed on a bridge over the D., L. & W. R. R.; this is a plate girder bridge with two driveways; the bridge rests on concrete abutments; structure in good condition. In the village of Lestershire, the electric track crosses a single switch track of the Erie railroad. This is a right-angle cut crossing, in good condition. There is only one movement on the steam tracks daily. Steam trains are flagged over the crossing. Electric cars do not stop. There is no metal trough on the trolley wire.

On the Union division the double track is constructed over a waterway on a plate girder bridge 48 ft. long, on mason work abutments; structure equipped with guard rails and guard timbers; all in good condition; this bridge is located on private right of way alongside the highway. The tracks of this division are constructed over a 14-ft. opening on private right of way, with 14-in. girders on mason work abutments; there are guard timbers on the opening; this structure is on a tangent; the east abutment on the in-bound track has been taken out and the girders are shored up; this abutment should be repaired. The tracks of this division are constructed over an 18-ft. opening, with two 12-in. iron girders on concrete abutments; this opening is on a tangent, equipped with guard rails and guard timbers; structure in good condition. The tracks of this division are constructed on a 36-ft. opening, with 4 ft. plate girders on concrete and mason work abutments; structure on a tangent with a curve on the west approach; it is equipped with guard rails and guard timbers; structure in good condition. The double track of this division terminates at Endicott. On private right of way between Endicott and Binghamton the track is constructed for a portion of the distance along the bank of the river, and there is a guard rail on the in-bound track. From Endicott to the terminus of the line in Union it is single track, laid in the center of the highway.

On the Orphan's home line, on South street, the single track crosses the Susquehanna river on a 4-span through bridge; this is a new bridge and replaces one which recently collapsed; there is a 12-ft. clearance on a driveway over the bridge; this structure is in good condition.

On the Ross park division, on Chenango street, the single track is constructed on a bridge over the Susquehanna river; this is a 3-span through bridge; the track is laid on one side of the bridge with a 16-ft. driveway; this bridge should be examined by an expert and a copy of his report submitted to this Commission. The track of this division is laid over an 18-ft. opening on private right of way; this opening is constructed of 15-in. iron girders on mason work abutments; in good condition.

On the Port Dickinson line, on Chenango street, the double tracks are laid on a viaduct over the Erie and D., L. & W. railroads. There is a 5 per cent. grade for 200 ft. on either side on the approach to this viaduct.

On the Broad avenue line, on Robinson street, the single track crosses one main and one switch track of the Delaware and Hudson railroad; this is a diagonal jump crossing in poor condition. On the west approach the electric track is up a 2½ per cent. grade for 200 ft.; on the east approach it is up 1 per cent. grade to the crossing. The electric tracks on a tangent;

steam tracks are on a curve. A view of the steam tracks from the crossing can be had for 1,000 feet to the north, and to the south for about the same distance. Fifty feet from the crossing on the west side a view of the steam tracks to the south can be had for 300 ft., and to the north for 1,000 ft. On the east side of the crossing a view of the steam tracks to the south can be had for 1,500 ft., and to the north for 200 ft. This crossing is protected by a flagman at all hours. There should be a new special work cut crossing put in at this point, and a metal trough should be placed on the trolley wire. One hundred and fifty feet east of the above crossing the track crosses two main line and one switch track of the D., L. & W. R. R. This is a diagonal crossing. The crossing of the two main line tracks is a special work with the ball of the steam rail cut. It is in good condition. The crossing of the switch track is the same construction, but in poor condition. The steam tracks are on a curve. On the east side the approach to the crossing is practically level and on a tangent. The view of the steam tracks on the west side is obstructed to the north by buildings, and to the south by cars standing in the yard. On the east side a view to the north of the steam tracks can be had for one thousand feet, and to the south for three hundred feet. There is a turnout switch in the electric track 150 ft. east of the crossing. The crossing is protected by gates operated by a man on the ground at all hours. The special work of the switch track should be renewed, and a metal trough placed on the trolley wire. On account of the short distance between these two crossings, and the up grade on the west side of the Delaware and Hudson company's tracks, and the turnout on the east side of the D., L. & W. tracks, no suggestion is made for derails at these crossings.

On the Catholic cemetery line, the track is on a grade of 7 per cent. for 500 ft.

On the Spring Forest line, the track is constructed under the D., L. & W. and the Erie railroads.

On the Glenwood line, the track is constructed across the Ferry street bridge, which is a plate girder deck bridge, with a paved roadway; structure in good condition.

The company maintains a track force of 20 men. During the work of reconstruction this force is increased, and at the time of the inspection there were 87 men employed.

During the past year about 12,000 new ties have been used in reconstruction. About three miles of track have been relaid. The company contemplates the reconstruction of an additional two miles of single track this season.

The company owns, available for operation, 71 passenger car bodies, of which 39 are closed and 32 are open. Of the closed bodies: 5 are 45-ft. over all, double truck; 12 are 21-ft., single truck; 7 are 18-ft., single truck; 15 are 16-ft., single truck; also 4 20-ft. closed trailers; 2 14-ft., closed trailers. Of the above cars, 2 are 15-bench, double truck; 10 are 10-bench, single truck; 13 are 9-bench; 3 are 7-bench; also 8 7-bench and 2 6-bench open trailers. Of the above, 17 closed cars are operated during the summer season. Trucks are not changed. Wheels: tread, 2¼ in.; flanges, ⅞ in. and ¾ in. Double truck cars are equipped with air and hand brakes. All single truck cars have single chain hand brakes. Double truck cars are equipped with arc headlights; single truck, incandescent headlights. No oil tail-lights are used except on trailers. Some of the closed cars are equipped with sand boxes. All cars are housed, cleaned, inspected, and repaired at the company's car barns at the power house. No red flags or lanterns are carried on cars. All closed cars are equipped with electric heaters.

The company has, available for operation: 3 4-motor G. E. 800; 4 4-motor G. E. 67; 8 2-motor G. E. 67; 2 2-motor G. E. 57; 32 2-motor G. E. 800; making a total equipment for 49 cars.

For summer operation the company has 49 cars equipped; 32 open and 17 closed. Of these there is an average of 5 held in the shop daily

for inspection and repairs. The company has sufficient cars for maximum schedule requirements. In addition to the passenger equipment mentioned above, the company has 1 express car, 2 construction cars, 2 double truck snow-plows, 1 diamond single truck plow, and 1 rotary sweeper; all electrically equipped. All cars are equipped with fenders.

The company employs twenty men in the car repairing department. These men inspect and repair cars, and in addition there is an inspector on the line who examines cars en route. All of the winter equipment has been put through the shop, cars painted and repaired during the summer.

The power house is located on Crystal street in the city of Binghamton. It is equipped with five engines: 2 125 hp.; 2 250 hp.; 1 750 hp.; all belted, except the 750 hp., which is direct connected.

The generator equipment consists of 4 100 kw.; 1 200 kw.; 1 500 kw.

The boiler equipment consists of 3 125 hp.; 1 250 hp.; 1 350 hp.

There is one transformer station located at Endicott. Transmission of the a. c. current is made at 13,200 volts. The transmission line is located on the company's poles, and is not constructed on any of the principal streets of Binghamton. It is located around the village of Lestershire and for a mile and a-half it is on the highway, the remaining distance being on company's right of way. This line is constructed of wooden poles from 35 to 60 ft. high. The poles are in first-class condition and the line is inspected every ten days.

In addition to the power equipment, the company has a storage battery plant at the power station, consisting of 262 cells, which has a capacity of 400 ampere hours.

The company has sufficient power for maximum requirements of operation.

Cars on the Lestershire division are operated on Lewis street to Chenango, to Court, to Main street, to St. Charles street, at Lestershire, a distance of about 3¼ miles. The running time is 24 minutes. Five regular cars are required in operation. This line is double track.

Cars on the Union-Endicott division run from Lewis street over the tracks of the Lestershire division to St. Charles street, Lestershire; then over the Union division to Union, a distance of 6 miles from St. Charles street, Lestershire, making a total of 9¼ miles. Cars are operated on this division on a 25-minute headway. The running time is 50 minutes. Four regular cars are required in operation.

Cars on the North Chenango and Le Roy street division are operated from the corner of Linden and Chenango streets, through Chenango street, Court street, Main street, Oak street to Le Roy and Beethoven streets, a distance of 3 miles. Cars on this division run over the tracks of the Lestershire division from Lewis and Chenango streets to Oak and Main streets. Cars are operated on a 15-minute headway, 30 minutes running time. Four cars are required on the schedule.

From the State hospital, cars on the State hospital and Floral avenue division run over the tracks through Robinson street to Broad avenue, to Court, to Main street, to Foral avenue, to Ackley avenue, to the terminus at Ethel street, running over the tracks of the Lestershire division from Court and Chenango streets to Floral avenue and Main street. The length of this division is 5⅓ miles. Cars are operated on 20-minute headway. The running time is 40 minutes. Four cars are required for schedule operation.

Cars on the Ross park division are run through Court and State streets, Susquehanna street to Washington street, Derusey street to Vestal avenue, to Park avenue, to the terminus at Ross park, a distance of 1¾ miles. Schedule operation on 15-minute headway. Running time, 15 minutes. Two regular cars are in operation on this line.

Cars on the Orphans' home division are run from the corner of State and Court streets, through State street, Susquehanna street, Carol street, South street, Conklin avenue to Pierce creek, a distance of 1¾ miles. Cars are operated on a 15-minute headway. The running time is 15 minutes. Two regular cars are in operation.

Cars on the Glenwood division are operated from the corner of Court and Washington streets, through Washington street, Ferry street, Front street, Forest street, Clinton street, Glenwood avenue to Glenwood cemetery, a distance of 2¼ miles. Cars are operated on 20-minutes headway. The running time is 20 minutes. Two regular cars are in operation.

Cars on the Port Dickinson division are operated from the corner of Court and Washington streets through Court street and Chenango street to Port Dickinson. Returning, cars run through North Chenango street and Le Roy street division. From Court to Linden street also, on the return trip, these cars leave Chenango street at Lewis street and run through Lewis street to Washington street, to Court. The length of this line is about 3 miles. The cars are operated on a 24-minute headway. The running time is 24 minutes. Two regular cars are in operation.

From Spring Forest cemetery, cars on the Spring Forest and Tompkins street division run over Spring Forest avenue, Oak street, Gaines street, Front street, Main street, Court street, Tompkins street, Conklin avenue to the terminus. Cars on this line run on the tracks of the State hospital division from Main street to Tompkins street. Length of this division is 3¾ miles. Cars are run on 20-minutes headway. The running time is 20 minutes. Two regular cars are in operation.

Cars on the Broad avenue division are run from the corner of Court and Washington streets through Court street, Washington street, Robinson street, Broad avenue to Bevier street, a distance of 2½ miles. Cars are run on 20-minute headway. Running time is 20 minutes. Two regular cars are in operation.

Cars on the Catholic cemetery division are run from the crossover near Carol street on Court street, Main street, Floral avenue, Ackley avenue, Highland avenue, Burbank avenue to the terminus at the cemetery, a distance of 3½ miles. Cars on this line are run on 50-minutes headway. One car is in operation, making the round trip in 50 minutes.

Ross park is a summer resort, and vaudeville entertainments are given at this park during the summer season. There is a large excursion travel to and from the park. The arrangements at this terminus for handling passengers are very good. In-coming and out-going passengers are separated. All passengers boarding the cars during the evening when the cars are leaving the park are obliged to deposit tickets before entering cars. Trailers are operated on the Ross park division. These are coupled with draw bar connections and two chains. There is a 3 per cent. grade descending from the park. Trains are equipped with only two men, motorman and conductor. The company's rules require the conductor to be stationed at the brake on the rear car while descending the grade. He is able to comply with these requirements, as he has no fares to collect while the train is descending the grade. For this reason no suggestion is made for an additional man on the trailer cars.

The company has no book of rules. Orders are issued in pamphlet form and posted in the crews' room on Court street, and in the car house. The management has had an extensive experience in this method of issuing rules, and prefer it to issuing them in book form. An examination of these bulletins showed they are up to date and very complete. Considering the discipline maintained on this road, no suggestion is made for a change in the method of issuing orders.

On the winter schedule the company employs twenty-nine crews. During the summer season this number is slightly increased from the extra list, all being qualified men. The company does a package, freight, and express business. No foreign cars are handled.

The operating department consists of a general manager, two inspectors, and a car starter. The whole operation is to and from a common center. Transfers are given to and from all city lines. Transfers are not given to and from the suburban cars except in the 5-cent limit. When additional service is operated on the Union line, a man is stationed at the end of the double track at the terminus at Endicott, who regulates the movement of

cars over the single track portion of the line. Sand is placed at a convenient point at the foot of grades on the viaduct, on the Ross park line, and the State hospital hill. During heavy rains motormen are instructed to use sand, and during the spring and fall a sand car is operated.

The methods of operation on this line are first class. While the interval between cars on some of the lines is quite long, the service appears to be sufficient for the travel, and cars are run in a manner to afford proper transportation facilities between the business and residential sections of the city. The company has a reliable and sufficient power supply for maximum requirements of traffic. The company has a sufficient number of cars available for maximum requirements. A large portion of the track, especially the 6 and 7-in. girder and 35-lb. T rail, is in poor condition, and should be reconstructed. The company has done a considerable amount of reconstruction during the past year, and it was still in progress on the date of the inspection.

While the methods of operation and the discipline of employees on this railroad are first class, safety of operation requires that further precaution be taken on the heavy grades on the approaches to the viaduct and on the hills on the State hospital and Ross park lines, and all cars operated on these grades should be equipped with sand boxes, which should be maintained in proper condition and at all times while in movement filled with sand. All cars operated over the grade crossings of the Delaware and Hudson, and the Delaware, Lackawanna and Western tracks, should be equipped with red flags and lanterns. There are several sections of tracks which are not in use in regular operation, and which are in poor condition. These should be reconstructed. With the exception of the suggestions contained in this report, which should be complied with, no recommendations are made to increase the safety or convenience of passengers.

A copy of this report was transmitted to the president of the company, and the general manager of the company replied that the recommendations would receive the early attention of the company and be complied with.

ITHACA STREET RAILWAY.

October 22, 1907, I made an inspection of the Ithaca Street Railway, and submit the following:

This system consists of 8.30 miles of single track, all located in the city of Ithaca, except 1 mile and 1,100 ft. which is in the town of Ithaca. All on streets, except 2.72 miles which is on private right of way.

The main line extends from the Lehigh Valley depot on West Buffalo street to Stewart avenue, then with a loop from Stewart avenue returning to that point, and with a dead-end track extension from the loop to Cornell library. The total distance of the route of cars on the main line is 4.73 miles. The distance from the Lehigh Valley depot to Stewart avenue intersection is 1.27 miles. The loop from Stewart avenue returning to that point is 3.46 miles. This line extends from the Lehigh Valley depot through West Port street, State street to Stewart avenue, from Stewart avenue through State street to Eddy street, to Cascadilla Place, through the campus grounds to the entrance of Cornell Heights, through Cornell Heights to Stewart avenue, and through Stewart avenue to the intersection of the main line on State street.

A branch extends from the main line at the intersection of Oak avenue and Huestis street to the Lehigh Valley station at East Ithaca near the city line, a distance of 0.60 miles. The track of this line extends through Oak avenue, private right of way to Dryden road, through Dryden road to the terminus at East Ithaca.

A branch extends from the main line at the corner of State and Tioga streets to Renwick park, a distance of two miles. This track is constructed through North Tioga street to Fall creek, then through private right of way to the terminus at the park.

The whole system is constructed of T rail. The main line from the Lehigh Valley depot on West Buffalo street to West Seneca street, 450 ft., is 45-lb. T rail, laid in 1893; from West Seneca street to the bridge over the canal inlet, 300 ft., 56-lb. rail, laid in 1897; from the bridge to Plain street, 2,250 ft., 45-lb. rail, chair construction, laid in 1893; Plain street to Geneva street, 900 feet, 60-lb. rail, laid in 1898; Geneva street to Cayuga street, 525 feet, 45-lb. rail, laid in 1893; Cayuga to Tioga street, 600 feet, 56-lb. rail, laid in 1897; Tioga to Aurora street, 300 feet, 45-lb. rail, laid in 1893; Aurora to Eddy street, 2,400 feet, 60-lb. rail, laid in 1893; Eddy street to Cascadilla building, 1,050 feet, 62-lb. rail, laid in 1899; Cascadilla building to Huestis street, 525 feet, 56-lb. rail, laid in 1893; Huestis street to East avenue (on the campus), 1,050 feet, 45-lb. rail, laid in 1895; East avenue to Library building, 1,800 feet, 56-lb. rail, laid in 1895; East avenue to Library building, 1.29 miles, 45-lb. rail, laid in 1900; from South avenue through Stewart avenue, ¾ of a mile, to the junction of the main line, 62-lb. T rail, laid in 1900; 300 feet of track of this line has been reconstructed, extending from the entrance to the car barn on the heavy grade on State street, to Parker street, with 60-lb. T rail, laid in 1906.

The East Ithaca line is constructed of 45-lb. T rail, laid in 1893. The Renwick park line is constructed of 45-lb. T rail, laid in 1893, except about 300 feet of 60-lb. T, and about 300 feet of 56-lb. seconds, laid in 1904 on Tioga street.

State and Eddy streets, from the D., L. & W. crossing to the Cascadilla, a distance of 1½ miles, is paved. There is 1,920 feet of paving on Tioga street.

On the main line, commencing at Aurora street, there is a continuous upgrade to the campus, a distance of 1.61 miles, with a total rise of 444 feet to the highest point on the campus. The grade is from 2 per cent. to a maximum of 11 per cent. There is a derail at the curve at the corner of Eddy and State streets, about half way on this grade. The derail switch is set at all times to direct a runaway car through Eddy street.

From the junction of the East Ithaca line with the main line at Huestis street, to the depot terminus, the grade is ascending, the maximum being 10 per cent., with a total rise from Aurora street to the depot of 484 feet.

On the system there are six bridges over waterways. On West State street the track is constructed over the canal inlet. This was formerly a swing bridge, but has been made a stationary one. It is constructed of two temporary bents, one under each end, with a circular bent under the middle of the bridge. There is a mason work abutment under the east end and a mudsill abutment on the west end. The whole structure is in poor condition. The floor system is not first class. The bridge is about 80 feet long. This bridge is not at present in dangerous condition, but should be reconstructed in the near future.

On Stewart avenue the track is constructed on lower Stewart avenue over Cascadilla creek. This is a deck bridge 130 feet long, resting on mason work abutments, with six lattice piers. A single track is laid in the center of the bridge. This bridge should be examined by a bridge expert and a copy of his report submitted to this Commission.

Near the junction of the main line and the East Ithaca line, the track is constructed on a bridge over the Cascadilla creek. This is an under truss bridge 140 feet long, 45 feet from high water to floor beams. The bridge rests on mason work abutments in good condition. The approach to it from the south is on a reverse curve, with a grade of 2 per cent. descending to the bridge. The north approach is on a tangent, with a grade of 3 per cent. descending to the bridge. This bridge is equipped with guard rails and guard timbers. It was built in 1894. This bridge should be painted, and should be examined by a bridge expert and a copy of his report submitted to this Commission.

The track is constructed on a bridge over Fall creek. This is a steel under arch construction 210 feet long, 34 feet wide, built in 1898, and guaranteed to 3,000 pounds per foot. The height from water to the floor beams is 110

feet. There is a 5-ft. sidewalk on either side, raised 9 inches above the roadway. The single track is laid in the center of the roadway. The south approach to the bridge is at the foot of a long grade and on a curve. The north approach is on a curve, with a light grade ascending to the bridge.

Between Cornell Heights and Stewart avenue the track is constructed on a bridge over Fall creek. This is a steel under truss bridge 130 feet long, 27 feet wide, constructed in 1899. The south approach to the bridge is on a curve, with a 2 per cent. grade ascending to the bridge. The north approach is laid on a curve, with a 3 per cent. grade descending to the bridge. The floor beams are 130 feet above the water level. The bridge rests on mason work abutments in good condition. The track is laid on the west side of the bridge. The west rail is 2 ft. 4 in. from a 6 x 12-in. stringer on which there is an iron railing of light lattice work construction. The flooring of the bridge is laid flush with the top of the rails. It is planked between the rails, the planks being rabbitted for the flange of the wheel. An angle-iron guard has been placed inside each rail, which tends to prevent derailment. This bridge should be painted, and examined by a bridge expert, a copy of whose report should be submitted to this Commission.

The track of the Renwick park line is constructed on a bridge over Fall creek. This is a through bridge with a single span 105 feet long. Mason work abutments in good condition. The approach on either end is on a tangent. This bridge should be equipped with guard rails. It should be examined by a bridge expert and a copy of his report submitted to this Commission.

The track of the Renwick park line is constructed on a bridge over Cascadilla creek. It is a girder bridge, 32 feet long, with mason work abutments in good condition.

The main line crosses the single track of the D., L. & W. railroad at grade near the canal inlet. On Fulton street it crosses at grade the Cayuga lake branch of the Lehigh Valley railroad. These two crossings are about 100 feet apart. On account of the character of traffic on the steam roads, no suggestion is made for additional protection at these points.

On private right of way near Renwick park the track of this line crosses at grade the single track of the Cayuga lake division of the Lehigh Valley railroad. This is a cut crossing, in good condition, equipped with derails in the electric track and a metal trough on the trolley wire extending over the crossing.

The company buys power in sufficient quantities for maximum requirements of operation from the Remington Salt Company at Remington, on Cayuga lake. This power is transmitted from the salt works to this company's transformer station on East State street at the car barns, a distance of about 3 miles. This transmission is made at 2,200 volts. The transmission line from the salt company's power house is on wooden poles on streets and highways, except about ¾ of a mile which is on private right of way, to the city line. In the city of Ithaca it is located through Aurora, Queen, Tioga, and State streets on wooden poles, being about 1¼ miles. This transformer station is equipped with two 200 kw. rotaries.

The company owns two car barns: one located near State street, the other on the Renwick park line near the city limits. The State street barn is a brick building 40 x 125 ft. It is equipped with four tracks with a capacity of 12 cars, with pits under the tracks the entire length of the building. In this barn there is a shop equipped with a lathe, forge, upright drill, and other tools for armature winding and light car repairs. There is also a sand drier in this barn. The Renwick park barn is a wooden building 30 x 120 ft., equipped with three tracks with pits, with a storage capacity for 12 cars

The company owns, available for operation, 26 passenger motor car bodies. Of these, 12 are closed and 14 open. Of the closed cars, 4 are 28 ft. over all, vestibuled, center aisle, side seats, seating 32: these were put in service in 1905; 2, 29 ft. over all; 3, 27 ft. over all: 2, 25 ft. over all: these have been in service for a period varying from 1893 to the present time. Of the open cars, 6 are 24 ft.; 4, 30 ft.; 2, 29 ft.; 1, 31 ft.; 1, 43 ft.; the 4 30-ft.

cars were purchased in 1905; the remaining 10 have been in service for a period varying from 1893 to the present date.

The company owns available for passenger operation 25 trucks, all single: 6, 7-ft. wheel base; 19 6-ft., 6-in. wheel base. All have been in service more than nine years except 6 trucks which were purchased in 1905.

The company owns available for operation 19 2-motor equipments: 8 G. E. 1,000, 35 hp., put in service in 1899, 1901, 1902; 5 G. E. 70, 40 hp., put in service in 1905; 1 Westinghouse 12A, 35 hp., put in service in 1902; 1 Westinghouse 3. second-hand equipment, put in service in 1903; 4 G. E. 800, 30 hp., put in service in 1899.

In addition to the above equipment, the company owns one private car, one baggage car and snow-plow combined, two double truck trailer cars 40 ft. long, one flat car, and one service car.

Of the box cars, 5 are screen vestibule, with side curtains, 7 are full vestibuled. All closed cars are heated by electricity. All cars are equipped with sand boxes. All have double chain brakes with double rod connections, each rod separately connected to the brake lever. Wheels, 2½ in. tread, ¾ in. flange.

All cars in service are housed in the company's State street barn. At this point they are inspected every night before being put in service in the morning. They are swept and windows cleaned every night; they are washed inside once a week. In the inspection and repair of cars the company employs two night men and four day men. The shop foreman is responsible for the condition of the sand boxes. The company has proper blanks for car inspection and repairs. A record of the condition of each car is made before being put in service on the day following.

The company operates four lines of cars, viz.: State street, East Ithaca, Tioga street, and Cayuga Heights lines.

Cars on the State street line are operated from the Lehigh Valley depot through State street and the loop, a distance of 4.73 miles, returning to the Lehigh Valley terminus, a distance of 5.75 miles. The running time is 58 minutes. Cars on this line are operated on an 8-minute headway leaving the Lehigh Valley terminus running in each direction around the loop, making a 16-minute headway each way on the loop. These cars are run on this headway, the first car leaving the Lehigh Valley station at 6:24 a. m., the last one 11:20 p. m. Six cars are required in schedule operation. During the rush hours, between 5 and 6 p. m., extra cars are run as the service requires. On this line, including the loop, there are five turnouts. On the 8-minute headway cars meet on all of these switches. When extra service is run, usually the extra cars are run ahead of the regular. Signals are carried on extra cars indicating that they are extras. No trailers are run on this line.

Cars are operated on the Tioga street line from State street to Renwick park, a distance of 2 miles. The running time is 12 minutes one way. Cars are operated from 6 a. m. to 7 a. m. on a 20-minute headway; from 7 a. m. to 9 p. m. on a 12-minute headway; from 9 p. m. to 11:30 p. m. on a 20-minute headway. Two cars are required on this schedule, with an arbitrary meeting point at No. 7 switch, about half way on the line. Renwick park is a summer resort located on Cayuga lake. At times there is considerable traffic to and from this park over the Tioga street line. To accommodate this traffic, special service is run by the use of trailers and extra cars. When trailers are used, only trains of two cars are operated. There are two men on each car when this is done. There is no bell cord connection, whistles being used. When extra cars are run on this line, they are run as sections of the regular run. No signals are carried indicating "car following".

Cars on the East Ithaca line are operated from the lower Lehigh Valley station to the Lehigh Valley station at East Ithaca, a distance of 2.60 miles. The running time is 20 minutes. Cars on this line are operated leaving the lower Lehigh Valley station at 8 a. m., 9:12 a. m., 4:40 p. m., and 5:48 p. m. These cars are run to meet the trains at the East Ithaca terminus on the Elmira, Cortland and Northern railroad. One car is required on this schedule.

Extra cars are run to meet the 9:54 a. m. and the 5:25 p. m. trains. These extras are run only on Mondays, Tuesdays, Thursdays and Saturdays, these being the days on which there is travel sufficient to justify the operation of an extra car.

Cars on the Cayuga street line are operated from the junction on Cornell Heights, at the junction of Wyckoff and Thurston avenues, to Newman switch, a distance of 4,100 feet. Only one car is in service, running on a 16-minute headway, meeting the cars of the State street line. This car is operated by this company over the tracks of the Cayuga Heights Railway Company.

There is a starter and an inspector located on State street, near the junction of Tioga street, to regulate the movement of cars on State street, Tioga, and East Ithaca lines. Ne freight or express business is done. Mail is carried on the East Ithaca regular cars. The company has a book of rules and a printed time-table. Maximum number of passengers carried on this system during one day was 32,052, including transfers. The number of crews employed during the winter season is 22 men, and the maximum employed during the summer season is 40. The operating force consists of a general manager and one assistant.

A five-cent fare is charged in the city limits, and transfers are given between the different lines. The through fare on the East Ithaca line is 10 cents. A school book is sold, fifty rides for one dollar, good for the current month during school days and during the term. No other reduced rates are made.

Six men and a foreman are regularly employed in track maintenance. No special improvements have been made during the past year, with the exception of the new track mentioned above. Derail switches have been placed on either side of the crossing of the Auburn branch of the Lehigh Valley at Renwick park. No material improvement has been made in the overhead structure within the past year.

One man is employed sanding track on the heavy grades on State, Eddy, Cascadilla, and Stewart avenues. During the spring, fall, and winter seasons an additional man is employed, and during these periods a man is on duty sanding track at all hours during which cars are operated.

The State street line furnishes transportation facilities between Cornell university and the surrounding territory, and the city of Ithaca. At present there are 3,200 students attending the university. Cornell Heights is a suburban section of the city of Ithaca, and there are 53 residences which are tributary to this line of cars. The lectures and other entertainments at Cornell are at times largely attended by residents of the city proper. The theater and other places of amusement in the city are largely patronized by Cornell campus and Cornell Heights residents as well as the students. All of the athletic sports held under the auspices of Cornell university take place at Percey field, which is located on the Renwick park line near the Renwick park; also the Cascadilla preparatory school has an athletic field located on the same line. On days of athletic games, football, baseball, etc., large crowds are carried between Cornell university and these grounds.

All of these features tend to make the State street line the important line of this company's system, and a greater portion of this traffic is carried between President avenue on the campus and Tioga street, about 1½ miles. Between these points there is almost a continuous grade descending from the campus to Tioga street, the total rise being 444 feet, with a maximum grade of 11 per cent. This condition makes a very dangerous operation, especially so on a single track road. Safety of operation requires that this line should be double tracked from Tioga street to the corner of Eddy and State streets, a distance of 2,650 feet, and the movement of cars would be facilitated if the contemplated double tracks were extended from Tioga street to the terminus at the lower Lehigh Valley depot. All cars operated on the heavy grades on the State street line should be double trucked and equipped with air brakes.

The track from the Lehigh Valley terminus to South avenue turnout is in fair condition. A large portion of it, especially the 45-lb. rail, is in fair condition. A portion of the 60-lb. rail is in fair condition. From South

avenue the track on the loop through Cornell Heights is nearly all constructed with 45-lb. rail, with numerous curves with guard rail. This track is in fair condition to President avenue. A large portion of it has been surfaced and aligned, but the rail is too light for the curves and should be replaced. This condition continues to the junction of the East Ithaca street line except a short section of 56-lb. rail from President avenue, which is in fair condition. The line from the junction down the Cascadilla hill is constructed with 60-lb. rail, in good condition to the junction of the main line at Stewart avenue.

The East Ithaca street line, which is constructed of 45-lb. T rail, is in fair condition, but the rail is too light, and should be replaced.

The track of the Renwick park line through Tioga street is in poor condition except a portion of the 56-lb rail in the paved street, which is in fair condition. The track on private right of way is in fair condition, but the 45-lb. rail is too light for the heavy excursion traffic which passes over it, and should be replaced.

The East Ithaca street cars run from the junction of the State street line at Huestis street to the Eddy street siding at the junction of Eddy and State streets, 2,000 feet, on the track of the main line. These cars "wild cat" between these points, and there is a possibility of a collision on this section. There should be a manually operated block signal system protecting this section of track.

With the exception of the suggestions contained in this report, which include the reconstruction of a large portion of 45-lb. T rail track, the double tracking of the State street line, also the examination of bridges as suggested, no recommendations are made to further increase the safety of operation or add to the convenience of passengers on this road.

A copy of this report was transmitted to the general manager of the company, who replied that the company would comply with all the recommendations, contingent on securing permission from the city authorities so to do.

KINGSTON CONSOLIDATED RAILROAD.

October 25, 1907, I made an inspection of the Kingston Consolidated Railroad, and submit the following:

This system consists of 7.91 miles of single track, all located in the city of Kingston and on public streets, except where one line is carried under the West Shore railroad for a distance of 616 feet, and where the same line enters the property of the company at Kingston Point park for a distance of 410 feet.

On the line there are eight crossings of steam railroad tracks; six at grade, one under, and one over. The maximum grade on the line is 9 per cent.

The company owns, available for operation, 38 cars. Of these, 14 are closed and 24 are open. Of the closed cars, 6 are 16 ft.; 6, 18 ft.; and 2, 22 ft., inside measurements. All closed cars are heated by electric heaters, and are equipped with screen vestibules. Of the open cars, 6 are 10-bench, and 18, 9-bench. All cars have single chain brakes and are equipped with sand boxes. The closed cars have 33-in. and the open cars 30-in. chilled wheels, 2½-in. tread, and ⅝-in. flange. Cars weigh from 9 to 12 tons.

The company has 16 G. E. 800 motors: 5 were put in service in 1893, 3 in 1894, 4 in 1895, 1 in 1896, and 3 in 1899; also 10 G. E. 1,000: 1 was put in service in 1893, 1 in 1896, 4 in 1897, and 4 in 1898; also 12 Westinghouse 49, all put in service in 1899. In addition to the above, the company has one combination sprinkler and snow-plow equipped with 2 G. E. 800 motors.

The company's power house is located on East Strand at the foot of Abruyn street, near the Rondout creek. It is equipped with two 150 hp. tubular boilers, 100-lb. steam pressure; two 306 hp. Babcock & Wilcox water

tube boilers, 150-lb. steam; two 150 hp. Ball & Wood tandem compound condensing engines, belted to two 125 kw. Westinghouse generators; and two 300 hp. Ball & Wood engines direct connected to two 200 kw. Westinghouse d.c. generators. The plant was enlarged in 1901-2, and is equipped with a new marble switch board, new piping, heaters, pumps, condensers, etc., throughout. All current is d.c. 575. The company has sufficient feeder for operating purposes.

During the season of 1907 new, hard center crossings have been laid at the track intersections at Main and Fair streets and at St. James street and Clinton avenue; 2,932 feet of 80-lb. girder and 72-lb. grooved rail have been replaced by 90-lb. standard T rail in 60-ft. lengths on the Strand and Ferry street. Work is now in progress replacing 1,701 feet of these same girder and grooved rails on Broadway, Main street, and Fair street. A gang of about thirty men has been employed on this work, and 2,591 ties have been used.

Four thousand five hundred feet of new trolley wire have been installed this year, and at present the entire overhead structure is being renewed on the Colonial division from East Strand to the terminus at Kingston Point, a distance of 3,335 feet.

A force of ten men during the day and three men at night is employed in cleaning, inspecting, and repairing cares. At night, every car which has been in service during the day is swept, and sprayed with a sanitary solution. As occasion requires, the outside bodies are washed. During the past year every car was inspected throughout including a complete overhauling of the motors, brakes, and truck equipment, after which overhauling each car was painted and varnished. This is in line with the practice of the company, which is to thoroughly overhaul, repair, paint, and varnish every closed car during the summer months and every open car during the winter months.

All cars are housed in the company's barn at Broadway and Chester street, which is ample in size to hold the company's entire equipment. It is equipped with pits for inspection, a complete steam heating plant, an isolated paint shop, a boring mill, a wheel press, a lathe and drill press and other tools, all of which are electrically driven and sufficient for the company's requirements for some years to come.

The company has a most recent type of sand drier located in the car barn where sand is dried, after which it is stored at convenient points for use on the cars.

The company has blanks on which records are made of defects and repairs to car equipment.

The company operates two lines of cars, one the Colonial division, the other the Kingston city division. The cars of the Colonial division are run from Marius street to Kingston Point, a distance of 5,241 miles. These cars run from Marius street through Washington avenue, through North Front street from Washington avenue to Wall street, through Wall street from North Front street to Main street, through Main street from Wall street to Clinton avenue, through Clinton avenue from Main street to Cedar street, through Cedar street to Broadway, across Broadway to Thomas street, through Thomas street to Subway, through Subway to Dederick street, through Dederick street to Prince street, through Prince street to Hasbrouck avenue, through Hasbrouck avenue to East Strand, through East Strand to North street, through North street to Delaware avenue, through Delaware avenue to Kingston Point park terminus. It takes 35 minutes to make the run, and seven cars are operated on 10-minute headway from 8 a. m. to 9 p. m., and on 20-minute headway from 6 to 8 a. m., and 9 to 12 p. m.

The cars on the Kingston city division are run from the head of Wall street to the Rhinebeck Ferry, a distance of 2.738 miles. These cars run from the head of Wall street, through North Front street to Fair street, through Fair street to St. James street, through St. James street to Broadway, through Broadway to Ferry street, through Ferry street to Rhinebeck Ferry. It takes 20 minutes to make the run, and four cars are operated on 10-minute headway from 7 a. m. to 9 p. m., and on 20-minute headway from 6 to 7 a. m., and 9 to 12 p. m.

The regular number of crews during the year is eighteen. During the summer months about ten or twelve more regular crews are employed. In addition to these men a number of extra men are employed throughout the year, but principally during the summer months. The plan of the manager is to recruit such extra men throughout the city as have employment during the day.

The company does no freight or express business. No foreign cars are handled. Mail is carried on regular cars. Maximum number of passengers carried in one day was 24,242 during the past season. In addition to the sand boxes on cars, a sanding car is operated during bad weather. The foreman of the shop is held responsible for the condition of sand boxes on cars. The company has a book of rules, and a schedule is posted in the car barn.

On Broadway there is a grade descending towards the Ferry terminus commencing at St. Mary's church and extending to the Strand, a distance of 1,886 feet. This grade is continuous, with a maximum of 7.6 per cent. On this grade there is an easy curve with another near the foot. Near the top of the grade there is a turnout switch, and all cars are obliged to run slow to take the switch just before coming to the grade.

On the Colonial division, on Hasbrouck avenue, there is a heavy grade from Delaware avenue to St. Mary's street, a distance of 1,238 feet. This grade descends towards Kingston Point, and the maximum grade at any point is 9 per cent. There is one curve of medium radius something less than half way down the hill, with a tangent at the foot. A bulletin posted instructs motormen in case of doubt as to the safety of operation on either of these grades not to proceed down them.

Kingston Point park is a popular summer resort. The company owns about forty acres of land on which a number of buildings are located, including a large refreshment pavilion, merry-go-round, bowling alleys, photograph gallery, summer houses, terminal office, etc. Except upon special occasions, no admission fee is charged to the park. No intoxicating liquors are sold on the grounds. There is a shelter station at this point equipped with gates, which are used to restrain the crowds from boarding the cars until after the trolleys and seats have been turned for the return trip, and in this manner separating the in-coming from the out-going passengers. During the season of heavy travel to and from this park, both lines of cars are operated to and from the park. In addition to the regular schedule, extra cars are run, no trailers being used.

The distance between the junction of the two lines at the Ferry and the park is about 6,652 ft. When extras are run, they are fed in as the traffic requires. No signals are carried. No oil tail-lights are used.

At the junction of Hasbrouck avenue and Prince street the single electric track crosses the single track of the Ulster and Delaware railroad at grade. This is a special work crossing with the steam rail cut; in fair condition. The electric track is on a curve and the steam track on a tangent; both are level. On the south side of the crossing the view of the steam track to the east is obstructed, and a view to the west can be had for 500 feet. On the north side the view is unobstructed in either direction. The crossing is protected by a flagman from 7 a. m. to 6 p. m. This crossing should be equipped with a derail in the electric track on the south side of the crossing, and a metal trough should be placed on the trolley wire.

On Hasbrouck avenue the single electric track crosses the single track of the Ulster and Delaware railroad. This is a special work crossing, with the ball of the steam rail cut. It is in fair condition. The steam track is on a curve and the electric track on a tangent. This crossing is at the foot of a long grade on the west side of the crossing, and at the foot of a light grade on the east side. The steam track being on a curve, the necessary elevation makes it impossible to maintain a smooth riding crossing at this point. This condition also adds to the possibility of derailment on the crossing. On the west side of the crossing a view of the steam track to the north can be had for 1,000 feet, and to the south for 300 feet. On the east side a view to the north can be had for 500 feet, and to the south the view is limited.

This crossing is protected by a flagman from 7 a. m. to 6 p. m. This crossing should be equipped with a derail in the electric track on the east side, and a metal trough placed on the trolley wire extending over the crossing. No suggestion is made for a derail on the west side of the crossing on account of the possibility of accident caused by it to runaway cars on the long, heavy grade on that side. This crossing is known as the Murray street crossing.

On Hasbrouck avenue the single track of this company crosses the single track of the Ulster and Delaware railroad at grade. This is a diagonal crossing, with special work, in fair condition. The ball of the steam rail is cut. The approach to the crossing on the east side is up a grade for 250 feet, with a maximum of 8 per cent. On this approach there are short sections of rail which are loose and in poor condition. On the west side the track is practically level. The steam track is on a curve and the electric track on a tangent. The elevation necessary on the steam track results in a poor condition of the crossing on the electric track. The view is limited in each direction on either side of the crossing, This crossing is protected by a flagman from 7 a. m. to 6 p. m. This crossing should be equipped with a derail in the electric track on the west side of the crossing, and a metal trough placed on the trolley wire. Also the short sections of rail in the electric track should be replaced by proper construction.

On the Strand the single track crosses a switch track of the Ulster and Delaware railroad. Only switching movements are made on the steam track. This is a diagonal cut crossing, in fair condition. On account of the character of traffic on the steam track, no suggestion is made for derails at this point.

On the Strand the single electric track crosses the single track of the Ulster and Delaware railroad. This is a diagonal cut crossing, the ball of the steam rail cut. It is in good condition. Both tracks are level and nearly straight. The steam track extends to the day boat line. There are two passenger trains daily during the summer season, and some switching is done the year 'round. On the east side of the crossing the electric track is parallel and alongside the steam track. The view is open and clear. On the west side the view is obstructed. On account of the character of the traffic on the steam road, and the methods of operation on the electric road, no suggestion is made for additional protection at this point, except that during the season when the steam trains are operated, cars on the electric track bound for the park should come to a stop and the conductor go ahead and flag over the crossing.

On Broadway the single electric track crosses two main line tracks of the West shore and one main line track of the Wallkill Valley railroad. This is a cut crossing with special work, in good condition. The West Shore depot is located about four hundred feet north of the crossing. The crossing is protected by gates operated from a tower at all hours. I am informed that arrangements have been made for placing a metal trough on the trolley wire extending over this crossing. No further suggestion is made for protection at this point.

Nearly all of the track of the Kingston city division which is constructed of girder rail is in poor condition, except that portion on the grade on Broadway. Work is at present being done replacing this rail, and I am informed that it is the intention of the company to entirely replace it with 100-lb. standard T rails as fast as the work can be carried on.

The track of the Colonial division, which consists mostly of 7-in. 80-lb. girder rail, is in fair condition, but not first class, and I am informed that it is the intention of the company to renew all of this rail within the next two years.

The cars of the company are in good condition: clean, comfortable, and well painted. The company has sufficient power for maximum requirements of operation.

The dangerous features in the operation of this road are the heavy grades and the grade crossings of steam railroad tracks. Proper care is taken in the operation of the heavy grades in the way of sanding the track, and in bring-

ing cars to a stop before descending the grades. The brake equipment is considered sufficient for the class of cars operated.

To increase the safety of operation on this railroad the following recommendations are made:

That the Public Service Commission, Second District, State of New York, order the Kingston Consolidated Railroad Company, as follows:

1. That at the crossing of its track with the single track of the Ulster and Delaware railroad at the junction of Hasbrouck avenue and Prince street it place a derail switch in its track on the south side of the crossing, this derail to be operated by conductors of electric cars from a point near the steam track, and that it place a metal trough on the trolley wire extending over this crossing.

2. That at the crossing of its track with the single track of the Ulster and Delaware railroad on Hasbrouck avenue, known as Murray street crossing, it place a derail switch in its track on the east side of the crossing, to be operated by conductors of electric cars from a point near the steam track, and that it place a metal trough on the trolley wire extending over this crossing.

3. That at the crossing of its track with the single track of the Ulster and Delaware railroad on Hasbrouck avenue it place a derail switch in its track on the west side of the crossing, to be operated by the conductors of electric cars from a point near the steam track, and that it place a metal trough on the trolley wire extending over the crossing. Also that the short sections of rail in the electric track on the east side of the crossing be replaced by proper rail construction.

That the above recommendations be complied with within six months from the acknowledged receipt of the order.

4. That during the season when steam cars are operated, cars bound for the park come to a stop, and conductors go ahead and flag them over crossing of the Ulster and Delaware railroad as suggested in the body of this report.

A copy of this report was transmitted to the vice-president and general manager of the company, who replied that the company would comply with all the recommendations; and later, reported that the derails had been installed, and other progress.

APPENDIX L.

Decisions and Recommendations of Board of Railroad Commissioners.

Prior to July 1, 1907, the Taking Effect of the Public Service Commissions Law.

COMPLAINTS OF CITIES, TOWNS, ASSOCIATIONS, INDIVIDUALS, ETC.

[Case No. 3657] I *November 20, 1906.*

In the matter of the Complaint of T. J. JOHNSTON of Brooklyn *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY.

This complaint was filed with the former Board of Railroad Commissioners June 20, 1906. It was one of a number of complaints against this company as to service rendered the public which were filed in 1906, and in which many recommendations were made to the company, the results being published in the 1906 report. This case was closed.

[Case No. 3571] II *May 14, 1906.*

IRVING H. LOUGHRAN and Others *against* the ORANGE COUNTY TRACTION COMPANY.

In the matter of complaints of Irving H. Loughran, residents of the city of Newburgh, residents of the village of Walden, and others, against the Orange County Traction Company, as to the service furnished on its Walden branch, class of cars operated, their sanitary condition, the condition of track and roadbed, and other matters; the Board of Railroad Commissioners have made a thorough investigation of the complaints, and submit the following:

This investigation was made by personal inspection, and by taking of testimony at two public hearings held in the city of Newburgh. As a result, the Board finds that the route of the Walden line, including the city division in Newburgh, is about thirteen miles in length, with Orange lake, a summer resort, located about six miles from Newburgh. The schedule running time of cars between Newburgh and Walden is about one hour. To Orange lake, during the summer season, there is an extensive excursion traffic from Newburgh and Walden.

All cars operated on the Walden line during the summer and winter seasons are single truck. During the summer season ten-bench open cars are operated, and during the winter season closed compartment cars are run; the former have a seating capacity of fifty; the latter are divided into two compartments, one with a seating capacity of sixteen, and the other used as a smoking room, in which express matter is carried.

The track and roadbed at present are not in proper condition: the surface and alignment being very poor, curves have not proper elevation, and a number of the ties are decayed.

The cars, both open and closed, are not suitable for the traffic on this line.

The company has not sufficient power for maximum requirements of operation.

A sufficient number of cars are not operated on the Walden line during the winter or summer months to properly accommodate the present and increasing volume of travel.

The present methods of carrying express matter on the regular passenger cars cause serious inconvenience and discomfort to passengers.

The method of operation during the summer season, by which through passengers are obliged to transfer at Orange lake, causes inconvenience and delay.

The operation of single truck cars at a reasonble rate of speed over the track of the Walden branch, in its present condition, results in excessive end oscillation, which causes discomfort, and in a number of cases sickness, to passengers.

Open cars operated during inclement weather, not properly equipped with side curtains, necessarily results in the injury to the health of passengers.

The Walden line, situated as it is, with the thriving city of Newburgh at one end, and the manufacturing town of Walden, with a population of about three thousand inhabitants, at the other; with a prosperous farming population tributary to it; and with a summer resort located near the middle of the line, should be one of large revenue to the company; and is one which should be maintained in first-class condition, on which modern cars should be run, on such headways and in such a manner as to furnish passengers between Newburgh and Walden with safe, convenient, and uninterrupted transit between those points, in as short a time as safety of operation will permit. These conditions would not only add to the comfort and convenience of passengers, but would materially add to the net revenue of the company.

With a view of bringing about the above conditions, the Board of Railroad Commissioners made the following recommendations:

1. That the Orange County Traction Company immediately commence the work of ballasting, surfacing, and aligning the track of the Walden branch, with a proper force, and that this work should be continued until completed, which should be done as soon as possible.

2. That a sufficient number of cars be run during the summer season to properly accommodate the excursion travel between Newburgh and Orange lake, and between Walden and Orange lake, in such a manner as to cause as little inconvenience to or interference with other travel as possible.

3. That a through service be maintained on the Walden line during the summer season between Newburgh and Walden, in both directions, without transfer at Orange lake.

4. That all of the present open cars operated during the summer season be properly equipped with curtains so arranged as to protect passengers from inclement weather, and that they be maintained in proper condition.

5. That the company immediately take the necessary action to make additions to its power house equipment sufficient for the maximum requirements of proper operation at all seasons of the year.

6. That copies of contracts for additions to power house equipment be submitted to this Board not later than sixty days from date.

7. That the company immediately take action to procure the necessary number of double truck, open cars for the through and excursion business on the Walden line; and that it take immediate action to secure the necessary number of closed, double truck cars for winter operation on the Walden line.

8. That the company submit to this Board copies of contracts for such additional cars within sixty days from this date, such contracts to include specifications showing seating capacity of cars and date of delivery.

9. The company has submitted a time-table which will take effect June 10th, and which will materially increase the traffic facilities of the line as compared with the present operation. We recommend that the company begin operating cars under this improved schedule not later than May 30th. We also request that a time-table for winter operation be submitted to this Board at least thirty days prior to its going into effect.

10. The carrying of express matter on regular passenger cars of such a nature as will cause inconvenience and discomfort to passengers, such as fish

iced, meats in quarters, live stock and bulky merchandise, should be discontinued.

11. All cars operated on the Walden line during the winter season should be thoroughly washed, inside and out, every night. When smoking compartments are maintained in closed cars, they should be provided with cuspidors; and expectoration on the floor should be prevented by strict enforcement of the rules. Open cars operated in the summer season should be kept in a clean condition.

12. Heat should be applied to all closed cars operated in the winter season, one-half hour before cars are put in service.

13. That no single truck cars be used for regular schedule operation, except in cases of emergency, on the Walden line after November 1, 1906.

The company did not comply with the recommendations, and the matter was referred to the Attorney-General for his consideration and action. Under date of December 14, 1906, the Attorney-General returned the papers, with a letter from which the following is an extract:

"This office is in receipt of a letter from Mr. A. S. Embler of Walden, N. Y., attorney at law, requesting that the proceedings be held in abeyance, as it is his opinion that the Traction Company is now earnestly and honestly endeavoring to comply with the orders and recommendations of the Commission."

Mr. Embler was the attorney for complainants, and therefore the Board did not proceed further in the matter; and the case was closed.

[Case No. 3879] III *January 9, 1907.*

In the matter of the Complaint of ALEXANDER MCCLELLAND of New York city *against* the NEW YORK CITY RAILWAY COMPANY.

This complaint by Alexander McClelland of New York city against the New York City Railway Company was filed with the former Board of Railroad Commissioners December 28, 1906. It alleged that there were two broken rails in the Sixth Avenue surface railroad at the corner of Eleventh street and Sixth avenue, New York city, which were a nuisance to the neighborhood because of the noise. A copy of the complaint was sent to the company, which answered that "I would say that the rails to which reference is made have been repaired."

The electrical expert of the Board reported to the same effect, and the case was closed.

[Case No. 3865] IV *January 9, 1907.*

In the matter of the Complaint of EUGENE H. PORTER, STATE COMMISSIONER OF HEALTH, *against* the HUDSON VALLEY RAILWAY COMPANY, Relative to Condition of Passenger cars.

This complaint was filed with the former Board of Railroad Commissioners December 18, 1906. It alleged that the passenger cars of the company were not kept in sanitary condition. After an investigation and a report by an inspector, the complainant informed the Board that "I am glad to note from this report that the cars have been cleaned up and the conditions improved, and trust that this subject may not need further complaint." The case was closed.

[Case No. 3866] V *January 9, 1907.*

In the matter of the Complaint of WILLIAM P. SPRATLING, M. D., *against* THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY.

This complaint was filed with former Board of Railroad Commissioners December 20, 1906. It alleged that on November 18, 1906, the bell or

whistle was not sounded on a Delaware, Lackawanna and Western railroad locomotive engine approaching a grade crossing north of Groveland, Livingston county. After correspondence with the company, in which it alleged that "We have every reason to believe that our enginemen are careful in observing our rules, which require that the whistle shall be sounded and bell rung within the distance prescribed by law," the case was closed.

[Case No. 3850] VI *January 9, 1907.*

In the matter of the Complaint of M. CALM of New York city *against* the NEW YORK CITY RAILWAY COMPANY, as to Operation of Cars on its Madison Avenue and Lexington Avenue lines between 7 and 10 p. m.

This complaint was filed with the former Board of Railroad Commissioners December 11, 1906. It alleged that the company did not operate, between 7 and 10 p. m., sufficient cars on its Madison Avenue and Lexington Avenue lines to properly accommodate the public, particularly in the early evening. The company answered, that a tally taken at Sixtieth street and Madison avenue, and Sixtieth street and Lexington avenue, on December 13th, between 7 and 10 p. m., showed that cars passed in both directions, on both avenues, at average intervals of less than two minutes. The electrical expert of the Board reported that an employee of the Board had checked the service on the Lexington Avenue line between 7 and 10 p. m., and that this check showed that after 7:30 p. m. there was a sufficient number of cars operated to properly accommodate the public; that between 7 and 7:30 p. m. there were numbers of cars with some passengers standing, and a few that were crowded, but at the same time a larger number of cars had vacant seats. In relation to Madison avenue, the Board made recommendations to the company, a statement of which appears in this volume, under this title, in the complaint of Hamilton Fish. This case was closed.

[Case No. 3840] VII *January 9, 1907.*

In the matter of the Complaint of JAMES BRENNAN of Syracuse *against* the UTICA AND MOHAWK VALLEY RAILWAY COMPANY.

This complaint was filed with the former Board of Railroad Commissioners December 6, 1906. It alleged that on December 4th the passenger car service between Frankfort and Herkimer was not satisfactory; that while it was true that an accident had interfered with the service, that still better service could have been given; and that at least information regarding the delay and the probable time of detention could have been given. The company answered, that on December 4th its high tension transmission line had parted, owing to severe weather; that the break was located at 10:13 a. m., and repaired and the power turned on at 10:34 a. m. A copy of this answer was sent to complainant; and after further correspondence, the case was closed.

[Case No. 3810] VIII *January 9, 1907.*

In the matter of the Complaint of S. C. MILLET of New York City *against* the INTERBOROUGH RAPID TRANSIT COMPANY, as to Operation of its Sixth Avenue, Manhattan, Elevated line.

This complaint was filed with the former Board of Railroad Commissioners November 16, 1906. It alleged that on November 15th, shortly after

5 p. m., at the Forty-second street station, Sixth Avenue elevated line, the Harlem trains were infrequent and overcrowded. The company answered, that on the date in question, between 5:01½ and 5:25½, ten Harlem trains had stopped at this station, in addition to five Fifty-eighth street trains. A copy of this answer was sent to complainant, who replied; and the case was closed.

[Case No. 3770] IX *January 9, 1907.*

In the matter of the Complaint of the OCEAN SIDE BOARD OF TRADE *against* THE LONG ISLAND RAILROAD COMPANY, as to Discontinuance of Operation of the Long Beach Branch during the Winter.

This complaint was filed with the former Board of Railroad Commissioners October 19, 1906. It alleged that the company intended to abandon during the winter, operation of its branch to Long Beach, one of the stations on which is Ocean Side, and asked that passenger trains be run at least to Ocean Side. The company answered, claiming the right to discontinue the service, under section twenty-one of the railroad law, because the branch was a summer road; that Ocean Side is but one mile from its Lynbrook station; that the number of commuters from Ocean Side in October was eleven; that in April and May, 1905, the number was nine; that "To operate a shuttle train service between Lynbrook Junction and East Rockaway would cost our company not less than $30.00 per day. If East Rockaway were the only station from which the people of Ocean Side could take a train, the Long Island Railroad Company would not hesitate to operate this service at a loss; but considering the fact that Rockville Center and Lynbrook are almost as accessible to the major portion of the residents of Ocean Side, it does not seem necessary to duplicate the service." A public hearing in the matter was held in New York city November 21st, at which complainants and the company were represented.

After consideration of the matter, the Board notified "that it would not be justified in recommending that the service asked for be furnished during the winter on this branch;" and the complaint was dismissed.

[Case No. 3764] X *January 9, 1907.*

In the matter of the Complaint of ROBERT L. WEAVER of Painted Post *against* the ERIE AND THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANIES, as to Whistling of Locomotive Engines.

This complaint was filed with the former Board of Railroad Commissioners October 18, 1906. It appeared that complainant was the principal of the high school at Painted Post, and the complaint asked that "something be done to stop engineers from blowing the whistle near the schoolhouse, and thus disturbing the work." Both companies answered, that instructions had been issued to prevent unnecessary whistling. The case was closed.

[Case No. 3739] XI *January 9, 1907.*

In the matter of the Complaint of CHARLES BORCHERT of Brooklyn *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to its Ridgewood Elevated line.

This complaint was filed with the former Board of Railroad Commissioners September 28, 1906. It alleged that the company was not as theretofore operating six-car trains during the rush hours, but had reduced them to five cars. After investigation, the electrical expert of the Board reported that "six-car trains are now being operated during the morning and evening rush hours." The case was closed.

[Case No. 3760] XII *January 9, 1907.*

In the matter of the Complaint of JOHN S. RICH of Marion *against* the NEWARK AND MARION RAILWAY COMPANY.

This complaint was filed with the former Board of Railroad Commissioners October 15, 1906. It alleged that the Newark and Marion railway (street surface) was operated by steam power, without authority. The complainant subsequently withdrew the complaint; and the case was closed.

[Case No. 3730] XIII *January 9, 1907.*

In the matter of the Complaint of H. COTTON of Friendship *against* the ERIE RAILROAD COMPANY, as to Maintenance of Fences.

This complaint was filed with the former Board of Railroad Commissioners September 24, 1906. It alleged that the company did not maintain fences between its right of way and complainant's farm. After correspondence with the company, it asserted that the deed of the right of way to the company from Ira Cotton and wife provides that the seller "will make and construct and at all times hereafter keep and maintain all necessary, suitable and proper partition fences upon each and either side of the railroad." A copy of this letter from the company was sent to complainant, and no reply received. The case was closed.

[Case No. 3704] XIV *January 9, 1907.*

In the matter of the Complaint of A. C. DEYOE of Campbell Hall *against* the LEHIGH VALLEY RAILROAD COMPANY, as to the Physical Condition of its Railroad between Elmira and Canastota.

This complaint was filed with the former Board of Railroad Commissioners September 5, 1906. It alleged that between Elmira and Canastota, and particularly between Cazenovia and Freeville, the company's railroad was in poor condition. Two reports in the matter were made by the inspector, to the effect that certain repairs had been made, and that "the maximum speed between stations would perhaps be thirty-five miles per hour, and there is nothing in the condition of the track or roadbed to warrant fears for safety of trains operated at that speed." The case was closed.

[Case No. 3641] XV *January 9, 1907.*

In the matter of the Complaint of WILLIAM B. YOUNG, for a Client, as to the Physicial Condition of the NYACK AND SOUTHERN RAILROAD, Operated by the Erie Railroad Company.

This complaint was filed with the former Board of Railroad Commissioners July 10, 1906. It alleged that the Nyack and Southern Railroad, between Nyack and Piermont, in Rockland county, was in poor physical condition. After inspections and reports by the Board's engineer, the physical condition of the railroad was greatly improved. The case was closed.

[Case No. 3624] XVI *January 9, 1907.*

In the matter of the Complaint of F. W. GARDNER of Hoosick Falls *against* the RUTLAND RAILROAD COMPANY, as to Fences.

This complaint was filed with the former Board of Railroad Commissioners June 25, 1906. It alleged that the fences of the company along complainant's farm were in poor condition; and that weeds on the right of way were uncut. After correspondence with the company, both causes of complaint were removed; and the case was closed.

[Case No. 3615] XVII *January 9, 1907.*

In the matter of the Complaint of WILLIAM STONEBRIDGE *against* the UNION RAILWAY COMPANY OF NEW YORK CITY.

This complaint was filed with the former Board of Railroad Commissioners July 7, 1906. It alleged that the company should operate cars on its Kingsbridge line after midnight. After investigation and recommendations by the Board, the company operated cars between 12:15 a. m. and 5:45 a. m. The case was closed.

[Case No. 3579] XVIII *January 9, 1907.*

In the matter of the Complaint of MARY H. REYNOLDS of Petersburg *against* the RUTLAND RAILROAD COMPANY, as to Fences.

This complaint was filed with the former Board of Railroad Commissioners May 14, 1906. It alleged that the company did not maintain its fences along complainant's farm. After correspondence with the company, the fences were constructed. The case was closed.

[Case No. 3592] XIX *January 9, 1907.*

In the matter of the Complaint of ALLISON ORTS of Brooklyn *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY.

This complaint was filed with the former Board of Railroad Commissioners May 29, 1906. It alleged that the company did not operate sufficient cars on its Fifth avenue line from the Thirty-ninth street ferry after midnight; and that it did not operate cars on this line from Coney Island after 1:30 a. m. The Board recommended to the company, that it operate cars in both directions on its Fifth avenue line, between Coney Island and Thirty-ninth street ferry, on a 30-minute headway, between the hours of the arrival of the last boat at night and the departure of the first one in the morning. This recommendation was complied with.

[Case No. 3602] XX *January 9, 1907.*

In the matter of the Complaint of JAMES J. LAWLESS of West Seneca, Erie county, *against* the BUFFALO SOUTHERN RAILWAY COMPANY, as to Fare.

This complaint was filed with the former Board of Railroad Commissioners June 7, 1906. It related to the five cents fare limit in the town of West Seneca. After correspondence with the company and complainant, the case was closed.

[Case No. 3884] XXI *January 16, 1907.*

In the matter of the Complaint of GEORGE A. WARD *against* the UNION RAILWAY COMPANY OF NEW YORK CITY, as to Heating of Cars.

This complaint was filed with the former Board of Railroad Commissioners December 31, 1906. It alleged that Jerome avenue cars of the company were not heated. The company answered, that its rules required the proper heating of its cars. The electrical expert of the Board reported that the Jerome avenue cars "are at present being properly heated." The case was closed.

[Case No. 3871] XXII *January 16, 1907.*

In the matter of the Complaint of JOSEPH W. GORHAM *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY.

This complaint was filed with the former Board of Railroad Commissioners December 24, 1906. It alleged that the company had erected a fence on its property near Sands street, Brooklyn, which obstructed the view by motormen of the tracks. The electrical expert of the Board reported that "all cars slow down at this switch, and the operation through Sands street, between the bridge and Fulton street, is necessarily a slow movement; and while the fence obstructs the view, it is not considered a menace to safe operation." The case was closed.

[Case No. 3839] XXIII *January 16, 1907.*

In the matter of the Complaint of FREDERICK W. WALKER of Elmhurst *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to Heating of Cars.

This complaint was filed with the former Board of Railroad Commissioners December 5, 1906. It alleged that cars of this company, operating to and from Elmhurst, were not heated. The company at this time was filing with the Board weekly statements of the degree of heat furnished its cars on each day. The electrical expert of the Board made several investigations in the matter, and reported that while on several occasions in the late fall and early winter required heat had not been furnished in cars, this had been corrected, and the cars were being properly heated. The case was closed.

[Case No. 3826] XXIV *January 16, 1907.*

In the matter of the Complaint of JOSEPH STONE of Brooklyn *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to Overcrowding of Cars.

This complaint was filed with the former Board of Railroad Commissioners November 23, 1906. It alleged that the cars of the Hamilton avenue line of the company were very much overcrowded during the rush hours. The electrical expert of the Board reported, that since the complaint was made the headway of cars during the rush hours had been decreased from four to three and a-half minutes, and that "a recent check of the service on this line shows that this headway is practically maintained." The case was closed.

[Case No. 3804] XXV *January 16, 1907.*

In the matter of the Complaint of the ROSEDALE BOARD OF TRADE *against* THE NEW YORK AND LONG ISLAND TRACTION COMPANY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners November 9, 1906. It alleged that the company did not operate sufficient cars to accommodate the public. A hearing in the matter was held in New York city on December 11th, and the Board recommended to the company that it "construct additional turnouts on its line between the double track junction near the Brooklyn borough line and Mineola, to provide for operation of cars on a 15-minute headway." The company informed the Board that it would comply with this recommendation, and had started surveyors at work locating new turnouts. The case was closed.

[Case No. 3747] XXVI *January 17, 1907.*

In the matter of the Complaint of GEORGE G. BENJAMIN of New York city *against* THE LONG ISLAND RAILROAD COMPANY, as to Operation.

This complaint was filed with the former Board of Railroad Commissioners October 6, 1906. It referred to a rear-end collision between trains on the Jamaica Bay trestle, which had recently occurred, and alleged unsafe operation of trains on this Rockaway Beach division. The electrical expert of the Board reported that "An investigation of this accident shows that all of the precautions necessary in operation, as far as the train crews were concerned, were taken, except that the engineer of the last train did not comply with the signal given him by the flagman of the second train." The case was closed.

[Case No. 3769] XXVII *January 23, 1907.*

In the matter of the Complaint of the AUTO PUMP COMPANY, as to Alleged Excess Freight Rate.

This complaint by the Auto Pump Company of Springville, Erie county, was filed with the former Board of Railroad Commissioners October 19, 1906. It alleged that the railroad company had overcharged complainants on a shipment of iron from Buffalo to Springville. The company asserted that no overcharge had been made, and submitted the affidavit of John J. Farrell, a trunk line association inspector at Buffalo, as to the classification having been proper. Complainants submitted answering affidavits. A hearing was held by the Board in Buffalo January 23d. The company appeared by counsel. No one appeared for complainants. After consideration, the Board concluded that the complaint was not justified, and it was dismissed.

[Case No. 3889] XXVIII *January 28, 1907.*

Recommendation to UNION RAILWAY COMPANY OF NEW YORK CITY, as to Waiting Room.

On December 28, 1906, the Board recommended to the Union Railway Company, as follows:

"That the Union Railway Company cause a suitable waiting room to be erected at the Two Hundred and Thirtieth street terminus of the South Broadway line: the same to be properly lighted and heated when necessary."

The company complied with this recommendation by stationing a waiting car at the point.

[Case No. 3905] XXIX *January 29, 1907.*

In the matter of the Complaint of D. S. SANBORN of Flushing *against* the NEW YORK AND QUEENS COUNTY RAILWAY COMPANY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners January 18, 1907. It alleged poor service rendered the public on the company's line between Flushing and Long Island City. The company answered that "There were some delays during the period included in his reports, caused by circumstances which we could not control at that time. I have tried to rectify these troubles temporarily, and the company is going ahead in making large expenditures with a view of entirely eliminating future trouble, due to such causes." This case was closed, as recommendations of improvement in service were made to the company in other cases reported under this title.

[Case No. 3896] XXX *January 29, 1907.*

In the matter of the Complaint of LOUIS STUTZ AND SONS of Brooklyn *against* THE LONG ISLAND RAILROAD COMPANY, as to Freight Shipments.

This complaint was filed with the former Board of Railroad Commissioners January 12, 1907. It alleged delays on the Long Island railroad in the shipment of perishable freight. The matter involved a claim by complainants against the company, of which this Board had not jurisdiction; and the case was closed.

[Case No. 3887] XXXI *January 29, 1907.*

In the matter of the Complaint of WILLIAM MENZIES, Jr.,; *against* the FORTY-SECOND STREET, MANHATTANVILLE AND ST. NICHOLAS AVENUE RAILWAY COMPANY, as to Condition of Tracks.

This complaint was filed with the former Board of Railroad Commissioners January 4, 1907. It alleged that at Broadway and Sixty-ninth street there were two broken rails in one track of this company's railroad. After correspondence, and an inspection by the electrical expert of the Board, the track was repaired. The case was closed.

[Case No. 3874] XXXII *January 29, 1907.*

In the matter of the Complaint of C. H. REYNOLDS, CLERK OF THE VILLAGE OF ARCADE, *against* the BUFFALO, ATTICA AND ARCADE RAILROAD COMPANY, as to Switching Cars Across Main Street.

This complaint was filed with the former Board of Railroad Commissioners December 26, 1906. It objected to long delays to street traffic in Main street, in the village of Arcade, caused by the company switching freight cars across that street. After a report by an inspector for the Board, the company informed the Board, as follows:

"In reply to your letter of the 17th regarding the complaint of the village of Arcade, N. Y., they complaining of the Buffalo, Attica & Arcade R. R. switching cars across Main street in above village, I beg to advise that as soon as the Buffalo & Susquehanna R. R. Co.'s freight house is completed we are to transfer all switching and unloading of freight to that freight house and yard, referring to last paragraph of report, it would be very inconvenient to do the switching at Mill street (if it had not we would have done so from the first) a majority of the cars on this switch contain small amounts of merchandise which are not drayed from cars and we are obliged to transfer this freight from cars to freight house, the switching is now being done with switch engine at different times of

the day and does not take the time it did when done once a day with regular train crew. Hoping this explanation will be satisfactory. We have an order out not to hold Main street crossing over three minutes, if this is being exceeded I will see that it is not in the future."

Complainant was informed to this effect, and the case was closed.

[Case No. 3858] XXXIII *January 29, 1907.*

In the matter of the Complaint of H. S. ASCHE of Brooklyn *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, Relative to Transfers.

This complaint was filed with the former Board of Railroad Commissioners December 14, 1906. It alleged that transfers should be given between the Bergen street and the Nostrand avenue cars of the company, at Bergen street and Nostrand avenue. After two reports by the electrical expert of the Board, and it appearing to the Board that because of the transfers issued at various other points on the Nostrand avenue line, one to and from the Bergen street line was not necessary, the matter of this complaint was closed.

[Case No. 3872] XXXIV *January 29, 1907.*

In the matter of the Complaint of MRS. K. LANG *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY.

This complaint was filed with the former Board of Railroad Commissioners December 24, 1906. It alleged that the St. John's place cars of the company were inadequately heated, and service poor on this line; and also the Tompkins avenue line. After correspondence with the company, the heating of cars and the service on both lines were improved. The complainant informed the Board that "We now have much better service on St. John's place line; also cars are better heated." The case was closed.

[Case No. 3831] XXXV *January 29, 1907.*

In the matter of the Complaint of MEYER HECHT of New York city *against* the FONDA, JOHNSTOWN AND GLOVERSVILLE RAILROAD COMPANY, as to Freight Rate on Deerskins.

This complaint was filed with the former Board of Railroad Commissioners November 27, 1906. It alleged that the freight rate on deerskins, charged by the company for transportation from Fonda to Gloversville, was higher than the rate on goatskins and sheepskins. After correspondence with the company and complainant, he informed the Board that "the transportation company has lowered its tariff on the goods in question, and the same will go into effect on the 28th instant. I believe it will work out to the better satisfaction of the shippers as well as the consignees."

[Case No. 3816] XXXVI *January 29, 1907.*

In the matter of the Complaint of CLAFLIN, THAYER AND COMPANY of New York city *against* the NEW YORK CITY RAILWAY COMPANY, as to Tracks.

This complaint was filed with the former Board of Railroad Commissioners November 20, 1906. It alleged that the single track of the company

in Church street, between Park place and Thomas street, was practically unused, but one horse car being operated thereon, and that at infrequent intervals. Investigation developed that the facts were as stated, but the circumstances were such that the city had jurisdiction rather than the Board; and the case was closed.

[Case No. 3682] XXXVII *January 29, 1907.*

In the matter of the Complaint of SAMUEL G. TRACY, M. D., *against* the NEW YORK CITY RAILWAY COMPANY.

This complaint was filed with the former Board of Railroad Commissioners August 15, 1906. It alleged a refusal of a transfer from the Broadway line to a crosstown line, the name of the crosstown line not being stated, complainant insisting that the conductor should have given him a transfer good on any crosstown line to which the company transferred. The company answered, that on the Broadway line transfer agents were stationed at various points to issue transfers to crosstown lines, and that the conductors did not handle the transfers for these lines. A hearing in the matter was given complainant on September 28th, in New York city. Subsequently, complainant filed additional complaints: (1) that he had boarded a Third avenue car, received a transfer to a Forty-second street car, left that car for a Fourth avenue car, and was not carried on a transfer on the Fourth avenue car, which was one running from the Grand Central Station to West Twenty-third street ferry; (2) that not a sufficient number of cars were operated on the Broadway line between 1 a. m. and 5 a. m.; (3) as to the heating of cars. The company answered, that the Fourth avenue-Twenty-third street ferry line cars are operated mainly for passengers between those points, and that "it is expected that passengers will take a car of the Fourth avenue line" in cases like the one complained of; that on the ferry line "it is not practicable to make the same transfer arrangements as pertain between the regular line without rendering it possible for persons to travel in a circle and return to the starting point on the payment of one fare." The company also answered, that "the cars which are run from West One Hundred and Thirtieth street ferry to Houston street and Broadway, by way of Manhattan street and Broadway, are operated on a headway of twenty minutes between the hours of 1 a. m. and 5 a. m., and persons are able to ride from the West One Hundred and Thirtieth street ferry to South ferry, or in the opposite direction, at any time, by changing cars at the transfer points. South of Forty-fifth street, on Broadway, the cars are operated upon a much shorter headway between the hours of 1 a. m. and 5 a. m." The company also answered, that "in regard to the heating of cars, I wish to advise you that it is not our practice to turn the heat off under the circumstances to which Dr. Tracy refers." Complainant subsequently gave specific instances of non-heating of cars.

The opinion of the Attorney-General was asked as to the transfer question, and he informed the Board that "the case, therefore, does not present the question of a refusal on the part of the railroad company to issue transfers, but it is entirely competent for your board to determine whether or not the arrangement, as stated in the papers as made by the railroad company, is a reasonable arrangement in order to avoid the misuse of transfers issued by it."

The Board concluded that the facts of the transfer complaint, as above outlined, did not reasonably call for action on its part; and that the number of cars operated on Broadway between 1 a. m. and 5 a. m. seemed to be sufficient. The Board carefully investigated the question of heating of cars of this company, not only in this complaint, but upon its own motion. This case was closed.

[Case No. 3707] XXXVIII *January 29, 1907.*

In the matter of the Complaint of WILLIAM F. KING of New York city *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners September 7, 1906. It complained generally of the service rendered the public by the company, particularly on the Rome, Watertown and Ogdensburg division. The complaints were nearly all general in nature, and after an investigation and report by a member of the Board as to such of the matters as were specific, the case was closed.

[Case No. 3802] XXXIX *January 29, 1907.*

In the matter of the Complaint of FINCH & COLEMAN, ATTORNEYS FOR RESIDENTS OF FAR ROCKAWAY, *against* the OCEAN ELECTRIC RAILWAY COMPANY.

This complaint was filed with the former Board of Railroad Commissioners November 10, 1906. It complained that the company had discontinued for the winter the operation of its electric railroad between Far Rockaway beach and Far Rockaway station. The company answered, that the railroad in question was a summer line, and claimed the right to discontinue its operation under section twenty-one of the Railroad Law. A hearing in the matter was held in New York city on December 12th. Subsequently, complainants withdrew the complaint; and the case was closed.

[Case No. 3749] XL *January 29, 1907.*

In the matter of the Complaint of A. P. ORDWAY *against* the MANHATTAN RAILWAY, Leased to and Operated by the Interborough Rapid Transit Company.

This complaint was filed with the former Board of Railroad Commissioners October 5, 1906. It alleged that there were not enough trains, northbound, operated on the Sixth avenue line of the Manhattan railway during the rush hours in the afternoon, referring particularly to the Twenty-third street line. The company answered, that at the times in question trains were passing this station at intervals of one minute and forty seconds. The electrical expert of the Board reported that "trains were run on such close intervals, taking into consideration the junction at Fifty-third street, safety of operation prohibits any material increase in their number." The case was closed.

[Case No. 3909] XLI *January 29, 1907.*

In the matter of the Complaint of W. SMITH of Brooklyn *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to Overcrowding of Trains.

This complaint was filed with the former Board of Railroad Commissioners January 22, 1907. It alleged that trains on the Lexington avenue elevated line were overcrowded during the morning rush hours. The electrical expert of the Board reported that "more trains should be run on the Lexington avenue line to properly accommodate the travel, but the congestion caused by the combined operation of all of the different lines centering at the Brooklyn terminus of the bridge is such that this is an impossibility." The case was closed.

[Case No. 3833] XLII *February 6, 1907.*

In the matter of the Complaint of the STANDARD HARROW COMPANY of Utica *against* THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY.

This complaint was filed with the former Board of Railroad Commissioners December 1, 1906. It alleged that the charge made by this company for switching coke at Utica, from the New York Central and Hudson River railroad to complainant's plant, was excessive. A hearing in the matter was set for February 6th, in Albany, but complainant notified the Board that it did not wish to proceed further in the matter, and the hearing did not take place. The case was closed.

[Case No. 3836] XLIII *February 19, 1907.*

In the matter of the Complaint of A. P. HAVEN of Brooklyn *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to Operation of Elevated Railroad Trains.

This complaint was filed with the former Board of Railroad Commissioners December 3, 1906. It alleged that on December 1st, no Brighton Beach elevated train arrived at the Manhattan terminal of the Brooklyn Bridge between 6:05 and 6:35 p. m., which resulted in the overcrowding of the Brighton Beach train which started from the Manhattan end of the bridge at 6:35 p. m. The company answered, that this circumstance was caused by an accident. After a report by the electrical expert of the Board, the Board concluded that no action by it could remedy such an accidental condition; and the case was closed.

[Case No. 3880] XLIV *February 19, 1907.*

In the matter of the Complaint of the TROY WASTE MANUFACTURING COMPANY *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Delivery of Freight at Troy.

This complaint by the Troy Waste Manufacturing Company was filed with the former Board of Railroad Commissioners December 28, 1906. It alleged delays and inconveniences in the delivery of freight in less than carload lots at Troy. A hearing in the matter was held at Albany January 29, 1907, and adjourned to February 19th. Before the latter date the complainant informed the Board that the cause of complaint had been removed; and the case was closed.

[Case No. 3900] XLV *February 19, 1907.*

In the matter of the Complaint of JOHN D. THEES of New York city *against* THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY.

This complaint was filed with the former Board of Railroad Commissioners January 15, 1907. It alleged that a northbound passenger train of the company, due at the One Hundred and Twenty-fifth street station, New York city, at 9:43 p. m., ran by the station (at which it was to stop), apparently not under control, and was not stopped for a considerable distance. The company answered, that the inability of the engineer to stop this train at the station was the result of a circumstance which was explained in detail, the cause of which was being removed as fast as possible. The case was closed.

[Case No. 3904] XLVI *February 19, 1907.*

In the matter of the Complaint of D. S. SANBORN of Flushing *against* the NEW YORK CITY RAILWAY COMPANY, as to Starting Cars at Thirty-fourth Street ferry, New York city.

This complaint was filed with the former Board of Railroad Commissioners January 18, 1907. It alleged that delays were caused in starting cars from the ferry by a practice of ringing up fares before the car started. The electrical expert of the Board reported that "at the ferry there are four car stands, two starters, and one tallyman, each of the starters tallying when necessary. It was found that the conditions described by Mr. Sanborn, as far as counting passengers are concerned, were correct, except that no delays occurred from this cause. Cars are loaded from the rear, as they should be, passengers coming from the ferry entering the door nearest them, and the count taken of the number in each car before it was ready to leave." The case was closed.

[Case No. 1907] XLVII *February 19, 1907.*

In the matter of the Complaint of SIMON WEILBRONNER of North Pelham *against* the UNION RAILWAY COMPANY OF NEW YORK CITY.

This complaint was filed with the former Board of Railroad Commissioners January 18, 1907. It complained of the discontinuance of certain through cars operating from the Borough of the Bronx to Mount Vernon. The electrical expert of the Board reported that "the operation of a short line of cars between Bronx Park and the city line on the White Plains road was discontinued, and through cars substituted. This change resulted in numerous complaints, and at a recent public hearing held by the New York State Board of Railroad Commissioners, the complainants, represented by Alderman Mulligan, requested the reëstablishment of this line. The presiden of the Union Railway assured the Board that it would be reëstablished, and it was a few days later. There are at present five short line cars operated between the points mentioned above during the morning and evening rush hours. They accommodate the people residing in a thickly settled section, and are well patronized and popular." The case was closed.

[Case No. 3911] XLVIII *February 19, 1907.*

In the matter of the Complaint of THOMAS H. MCCANN of New York city *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Freight Charges.

This complaint was filed with the former Board of Railroad Commissioners January 25, 1907. It alleged discrimination in freight charges on potatoes shipped from Greenwich, N. Y., and Johnsonville, N. Y., (on the Greenwich and Johnsonville railroad), to New York city, in that part were billed at 16 cents a hundred and part at 18 cents. The company answered that the 16 cent rate was charged where the cars contained potatoes alone, and the 18 cent rate where the cars contained potatoes and apples, in accordance with the official classification. A copy of the company's answer was sent complainant, who did not reply; and the case was closed.

[Case No. 4067] XLIX *March 22, 1907.*

In the matter of Insufficient Clearance of Tracks of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY by a Signal Pole at Yonkers Station.

Complaint was made that a signal pole at Yonkers station did not clear the tracks sufficiently. After investigation, the position of this pole was changed so that sufficient clearance was obtained.

[Case No. 3552] L *April 3, 1907.*

WILLIAM E. ROGERS of New York city *against* the NEW YORK CITY RAILWAY COMPANY, Alleging Insufficient Service Rendered the Public on the Madison Avenue Line.

This complaint was filed with the former Board of Railroad Commissioners April 5, 1906. The matters complained of are treated in a similar complaint by Hamilton Fish, published hereinafter under this title.

[Case No. 3681] LI *April 3, 1907.*

In the matter of the Complaint of WILLIAM T. GREGG of Yonkers *against* THE YONKERS RAILROAD COMPANY, as to Noise Made by Cars.

This complaint was filed with the former Board of Railroad Commissioners August 7, 1906. It alleged that cars on Washington avenue line, in Yonkers, made too much noise after 9 o'clock at night and in the early morning, and that the noise seemed to be the result of the cars being in poor condition. The complaint also referred to crowding of cars. The company answered, that "A few months ago we made a contract with the Brill Company of Philadelphia for fifty car bodies: twenty-five open and twenty-five closed, and with the General Electric Company for fifty electrical equipments for the same. The open cars were delivered and have been in use several weeks. They are of the latest improved pattern and accommodate comfortably seventy people seated. We know that these cars are in excellent condition, and could not be otherwise unless they were purposely and maliciously abused by our employees. These large cars were purchased at the earnest request of the city officials and residents of Yonkers, who felt that they were entitled to larger and more commodious cars than had been heretofore in use in that city." A copy of this answer was sent to complainant, who replied. The Board was familiar with the cars and operation on this line, and believing that no further action on its part was required, the case was closed.

[Case No. 3972] LII *April 10, 1907.*

In the matter of the Complaint of MARTIN C. DYER of New York city *against* the INTERBOROUGH RAPID TRANSIT COMPANY, Lessee Manhattan Railway, as to Heating of Cars.

This complaint was filed with the former Board of Railroad Commissioners March 13, 1907. It alleged that cars on the Manhattan railway were not properly heated, particularly in one train on the Third avenue line. March 4th. The company answered, that "on investigation the conductor declares that the cars were properly heated, and an inspection demonstrated

that the cars are in good condition, no repairs having been made to the heaters since March 4th, and there is no reason why the cars should not have been properly heated on that day."

A copy of this answer was sent to complainant, who did not reply. The Board was informed as to the heating of the cars of this company, and did not believe that this matter required further action on its part. The case was closed.

[Case No. 4014] LIII *April 16, 1907.*

In the matter of the Complaint of FREDERICK EPPELHEIMER AND OTHERS *against* the NEW YORK AND QUEENS COUNTY RAILWAY COMPANY, as to Operation of Cars in the Early Morning Hours.

This complaint was filed with the former Board of Railroad Commissioners April 9, 1907. It alleged that the company should operate more cars after 12:30 a. m., for the accommodation of night-workers. The Board had made various recommendations to this company, which resulted in the furnishing of increased service; and this case was closed.

[Case No. 3997] LIV *April 16, 1907.*

In the matter of the Complaint of F. W. SESSIONS of Utica *against* the NATIONAL EXPRESS COMPANY, as to Rates.

This complaint was filed with the former Board of Railroad Commissioners March 27, 1907. It alleged that the company charged $1.25 per hundred on shipments of millinery goods from Utica to Milford, Otsego county, N. Y., whereas the rate on similar shipments from New York city to Utica was but $1.00 per hundred; that Milford is a much shorter distance from Utica, than Utica is from New York. The company answered:

"The merchandise rate per hundred pounds, New York to Utica, is $1.00. You are aware that the business travels over but one line of railroad, and in through cars. Our rate, Utica to Milford, is $1.25 per hundred pounds. We are obliged to use practically three lines of railroad: New York Central to Albany, Delaware and Hudson to Oneonta, Cooperstown and Charlotte Valley to Milford, which makes the cost of transportation much more than the cost to New York city; also necessitates two transfers causing additional risk of loss or damage and additional cost for handling. Evidently, Mr. Sessions in entering complaint, considered the distance Utica to Milford across the country; he did not take into consideration the route shipments must travel to reach destination, numerous transfers, the fact that we are obliged to pay three railroad transportations instead of one direct line as is the case on the New York Central."

A copy of this answer was sent to complainant, who did not reply. After consideration, the Board determined that the facts as set forth in the papers did not require further investigation on its part, complainant not having replied to the answer of the company, and the case was closed.

[Case No. 3989] LV *April 16, 1907.*

In the matter of the Complaint of the LONG ISLAND MACHINERY COMPANY *against* THE LONG ISLAND RAILROAD COMPANY, Relative to Freight Rates.

This complaint was filed with the former Board of Railroad Commissioners March 15, 1907. It alleged that the company had charged complainant an excessive freight rate on a shipment of second-hand machinery from Glen Cove, L. I., to Brooklyn. The company answered:

"The shipment consisted of three second-hand machines, skidded, not crated or boxed. In accordance with the Official Classification, which is used by all railroads in the east, first class rate should apply, which from Glen Cove to Bushwick is fifteen cents per 100 pounds. As this shipment could not be conveniently weighed on platform scales, the agent at Glen Cove accepted shippers weight, namely, 9,000 pounds, but unfortunately used a wrong rate of twelve cents per 100 pounds, which, however, was corrected by the agent at Bushwick to the correct rate of fifteen cents per 100 pounds. The consignee, however, complained of the charge and stated that the weight of 9,000 pounds as charged was excessive. The agent then had the car weighed on track scales and found the net weight to be 4,400 pounds, which at the rate of fifteen cents per 100 pounds makes a charge of $6.60. You will note from the paid freight bill attached that this was the amount collected and is a reasonable charge for the services performed."

A copy of this answer was sent to complainant, who did not reply. After consideration, the Board determined that the facts as set forth in the papers did not call for further proceedings on its part; and the case was closed.

[Case No. 3980] LVI *April 16, 1907.*

In the matter of the Complaint of 5 GREENWICH AVENUE, New York city, *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Cartage and Storage Charges on Freight.

This complaint was filed with the former Board of Railroad Commissioners March 15, 1907. It alleged that shipment of seven boxes of metal polish was made from Attica to complainant at New York city; that the shipment arrived in the city February 15th, but that the first notice complainant had of it was a notice on March 11th that the shipment was stored in a warehouse and that complainant must pay cartage and storage charges. The company answered, that "investigation shows that these seven boxes of metal polish arrived at our Thirty-third Street Station, New York city, on February 15th, and our regular notice of arrival was mailed to consignee on February 16th, addressed '5 Greenwich Avenue, New York.' This notice was mailed by clerk F. Brennan in the mail box at Hay Exchange, corner Eleventh avenue and Thirty-third street, with a number of other notices, at 5:45 p. m. The consignee not calling for the goods, we placed them in store on March 6th."

A copy of this answer was sent to complainant, who replied. After consideration, the case was closed.

[Case No. 3222] LVII *April 16, 1907.*

In the matter of the Complaint of CHRISTOPHER CLARKE of Flushing *against* the NEW YORK AND QUEENS COUNTY RAILWAY COMPANY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners September 26, 1904. It alleged that a sufficient number of cars to accommodate the public was not operated on the Flushing-Jamaica line of the company. It was investigated, and recommendations made to the company. Various investigations were made in the matter; and the case was closed.

[Case No. 3979] LVIII *April 16, 1907.*

In the matter of the Complaint of P. H. WALLACE of Cohoes *against* THE DELAWARE AND HUDSON COMPANY, as to Rates of Passenger Fare.

This complaint was filed with the former Board of Railroad Commissioners March 18, 1907. It alleged that a ticket for Albany, purchased at

Cohoes, cost twenty-five cents; whereas, a person could buy a ticket at Cohoes for Green Island for five cents, and a ticket at Green Island for Albany for nine cents; making the total to Albany fourteen cents, as against twenty-five cents by the direct route. The company answered:

"I beg to say that Mr. Wallace has stated the facts correctly. The same situation is found at other points on our line where through rate exceeds the sum of the locals. I do not see that there is just cause for complaint in the circumstances. The maximum charge of twenty-five cents, Cohoes to Albany is not an overcharge; the 14-cent rate by way of Green Island is for an indirect route; the rates are special rates made in recognition of the volume of travel, and the eleven cents which this company enables a passenger to save by taking that route should not, in fairness, be used as an argument for a similar reduction in the through rate from Cohoes to Albany. I presume that Mr. Wallace would be very much grieved if, in response to his complaint of discrepancy in rates, we should raise the local fare from Albany to Green Island and from Green Island to Cohoes so that the combination would equal the through rate from Cohoes to Albany; and yet such action would be more reasonable and just than his proposal that we reduce the fare from Cohoes to Albany to fourteen cents."

A copy of this answer was sent to complainant, who did not reply. After consideration, the Board determined not to proceed further in the matter; and the case was closed.

[Case No. 3975] LIX *April 16, 1907.*

In the matter of the Complaint of THOMPSON BROTHERS of Pierrepont Manor *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Delay in Freight Shipments.

This complaint was filed with the former Board of Railroad Commissioners March 14, 1907. It alleged that cars of feed consigned to complainants at Pierrepont Manor had been delayed at various times, and referred particularly to one car shipped from Buffalo, which had not been received at the time of writing the complaint. After correspondence with complainants and the company, complainants informed the Board that "our freight is now arriving and we have no more complaints to make at present." The case was closed.

[Case No. 3964] LX *April 16, 1907.*

In the matter of the Complaint of D. B. TAYLOR & SONS of Northville *against* the FONDA, JOHNSTOWN AND GLOVERSVILLE RAILROAD COMPANY, as to Loss in Freight Shipment.

This complaint was filed with the former Board of Railroad Commissioners March 8, 1907. It alleged that two washboards were lost from a shipment to complainants, and that the company would not pay for them. The company answered, that "all papers in the same have this day been received, vouchered and submitted to Mr. Brown with approval for payment and with request to issue check and forward to claimants at once." A copy of this answer was sent to complainants; and nothing further being heard from them, the case was closed.

[Case No. 3963] LXI *April 16, 1907.*

In the matter of the Complaint of RESIDENTS OF THE FIRST WARD, BOROUGH OF QUEENS, AND OF CORONA, NEW YORK CITY, *against* the NEW YORK AND QUEENS COUNTY RAILWAY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners March 7 and 28, 1907. They complained generally of the service rendered the public by the company. The company answered:

"In reply to your favor of March 8th, inclosing resolutions adopted by the residents of the First Ward, will say, that during the past two months, we have had an unprecedented number of car wheels break before the fin has worn off from the flange. Some time ago, we organized a night force, in addition to our day force, to make repairs, but notwithstanding it all, it has been hard work to keep up with the breakdowns. It should be borne in mind also that a great part of the territory, through which we operate, is not sewered, and owing to the extremely heavy snow fall and the melting of this snow, there are numerous places where the water is at times from six to ten inches deep over our tracks and no way to get it off. This is playing havoc with our electrical apparatus and we are making extraordinary efforts and hope to be soon operating again under normal conditions."

Also "The difficulties with which we had to contend during the months of January and February and the first part of March were unprecedented. Owing to the snow and water, motors were burned out faster than we could replace them, and this constant short circuiting of our motors always threw a tremendous overload on our Flushing sub-station, and which, in turn, burned out the converters at this point. We are gradually improving the conditions, and we are certainly doing a great deal better now than we were two weeks ago. At a mass meeting held in this same hall last fall, at which I had the honor of speaking, I promised the Corona people that I would put in a cross-over this spring at Lounona Park and operate a number of cars to that point during the rush hours: and until the cross-over could be put in I would turn a certain number of cars at Flushing Bridge, thereby practically giving the Corona people an empty car when it arrived at Louona Park. Unfortunately for all, I was unable to continue this latter operation owing to the condition already noted. Within the past week this cross-over has been re-located at Lounona Park, and by Saturday night the trolley wire will be strung, and I am in hopes to give the people the service promised next week. I will say, further, that our Company are making large expenditures for increasing our power supply, and we intended to have same fully completed and in operation by May 30th, but owing to being delayed by manufacturers it will probably not be in operation before the middle of the summer; meantime we are making arrangements which we believe will carry us through until that time. We have not been indifferent to the conditions, but on the contrary have been alive to the situation and have been working our shop force night and day in order to relieve the situation. I believe it is to the best interests of our property to give the public adequate service, and we are working to that point and hope soon to be able to say that the service is satisfactory."

Copies of these answers were sent complainants; and the case was closed.

[Case No. 3976] LXII *April 16, 1907.*

In the matter of the Complaint of TENNEY, MORSE & COMPANY of Boston *against* the ERIE RAILROAD COMPANY, as to Delay in Freight Shipment.

This complaint was filed with the former Board of Railroad Commissioners March 14, 1907. It alleged that two cars of wrought-iron pipe consigned to complainants were delayed on the Erie railroad at Hornellsville. The Board communicated with the company, and during the course of the correspondence complainants notified the Board that the cars had been received. The case was closed.

[Case No. 3930] LXIII *April 16, 1907.*

In the matter of the Complaint of REV. WILLIAM WALTER SMITH *against* the NEW YORK CITY RAILWAY COMPANY, Relative to Non-Heating of a Car.

This complaint was filed with the former Board of Railroad Commissioners February 9, 1907. It alleged that a Williamsburgh Bridge car was not heated, about 9 p. m., February 5th. The company answered, that the car was not heated through a mistake of the conductor in not turning on the heat, and that he had been given further instructions as to turning on the heat in cars. A copy of the answer was sent to complainant; and the case closed.

[Case No. 3961] LXIV *April 16, 1907.*

In the matter of the Complaint of NORMAN F. NELSON of Flushing *against* the NEW YORK AND QUEENS COUNTY RAILWAY COMPANY, as to Service Rendered the Public between Long Island City and Flushing.

This complaint was filed with the former Board of Railroad Commissioners March 6, 1907. It was involved in other matters of complaint against this company, which are reported under this title; and this case was closed.

[Case No. 3949] LXV *April 16, 1907.*

In the matter of the Complaint of CHARLES F. SPENCER OF THE NEW YORK CITY BOARD OF HEALTH *against* THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY, as to Condition of its Casanova Station.

This complaint was filed with the former Board of Railroad Commissioners February 26, 1907. It alleged that the Casanova station (Borough of the Bronx, New York city) of the company was not heated. The inspector for the Board reported that the station was unheated, and in bad condition generally. No agent is maintained at the station, it being a local stop. The company informed the Board that "we have had the building fumigated, re-painted and put in as good a sanitary condition as it is possible to do. We have also arranged to have a stove placed in the building and will keep it warm and as comfortable as conditions permit in future." Subsequently, the inspector reported that the station was not in proper condition; and the company informed the Board that "We will make a strong effort, however, to keep the place in presentable shape hereafter." The case was closed.

[Case No. 3948] LXVI *April 16, 1907.*

In the matter of the Complaint of the WESTERLEIGH IMPROVEMENT SOCIETY *against* THE STATEN ISLAND MIDLAND RAILROAD COMPANY, as to Speed of Cars.

This complaint was filed with the former Board of Railroad Commissioners February 25, 1907. It alleged that cars of the company on its Silver lake branch were run at reckless rates of speed. An inspector of the Board reported in the matter, and the Board made certain recommendations to the company as to the operation of the cars. The company informed the Board that the recommendations had been turned over to its superintendent "with instructions to strictly comply with its provisions." Complainant informed the Board that "there has been a very marked improvement in the operation of these cars down these particular hills. Evidently they have given instructions to their men to be more careful." The case was closed.

[Case No. 3932] LXVII *April 16, 1907.*

In the matter of the Complaint of JOHN C. DEMPSEY of Flushing *against* the NEW YORK AND QUEENS COUNTY RAILWAY COMPANY, as to Delay in Starting Car.

This complaint was filed with the former Board of Railroad Commissioners February 11, 1907. It alleged that on the evening of February 5th a car of the company was unduly delayed in starting from the Thirty-fourth

Street ferry. The company answered, that the delay was due to a very heavy snow storm. A copy of the answer was sent to complainant, who replied; and the case was closed.

[Case No. 3929] LXVIII *April 16, 1907.*

In the matter of the Complaint of MRS. E. C. PURTON of Lake George *against* THE DELAWARE AND HUDSON COMPANY, as to Loss of Freight.

This complaint was filed with the former Board of Railroad Commissioners February 7, 1907. It alleged that two cases of freight for complainant, consigned from New Hampton, Orange county, to Lake George, were lost in transit. The company admitted the loss, and stated that claim would receive prompt attention. The case was closed.

[Case No. 3922] LXIX *April 16, 1907.*

In the matter of the Complaint of D. O. LAURENCE of Valatie *against* the ALBANY AND HUDSON RAILROAD COMPANY, as to Charge for Baggage.

This complaint was filed with the former Board of Railroad Commissioners February 5, 1907. It objected to the practice of the company in charging for baggage. This matter was investigated by the Board in 1903, and the opinion of the Attorney-General asked. His opinion was that "I am, however, of the opinion that the company may, if it pleases, charge passengers who have baggage more than it charges passengers who have no baggage, providing the charge to each is within the maximum amount fixed by law." The company, in answering this complaint, stated "that our present practice is strictly in accordance with our rights as thereby defined by the Attorney-General." This statement was not contradicted; and the case was closed.

[Case No. 3915] LXX *April 16, 1907.*

In the matter of the Complaint of F. PEIFFER *against* the NEW YORK CITY RAILWAY COMPANY, as to Turning Back Cars.

This complaint was filed with the former Board of Railroad Commissioners January 28, 1907. It alleged that cars which should run through to the Grand street ferry were at times turned back at Madison street, to the inconvenience of the public, referring to a specific instance about 5 p. m. of January 24th. The company answered, that "there is no record of the switching back of a car under such circumstances as those to which Mr. Peiffer alludes." Complainant replied, but the matter appearing to be one that called for no further action on the part of the Board, the case was closed.

[Case No. 3901] LXXI *April 16, 1907.*

In the matter of the Complaint of the TAXPAYERS NON-PARTISAN ASSOCIATION, THIRD WARD, BOROUGH OF QUEENS, *against* the NEW YORK AND QUEENS COUNTY RAILWAY COMPANY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners January 17, 1907. It alleged that the service rendered the public of College Point and vicinity was not adequate. After investigation, the matters complained of were remedied; and complainants so informed the Board. The case was closed.

[Case No. 3885] LXXII *April 16, 1907.*

In the matter of the Complaint of the NEWFANE BASKET COMPANY *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY as to Interchange of Freight Cars.

This complaint was filed with the former Board of Railroad Commissioners January 2, 1907. It asked that the company be compelled to deliver freight cars to the International railway (trolley line) at Burt and at Lockport, so that these cars could reach complainant's plant at Newfane over the International railway. The company answered:

"We understand that the trolley line from Olcott to Lockport, which is the line in question, is a part of the International Railroad system, which largely controls the urban and interurban electric roads in and about Buffalo and Niagara Falls. It has not arranged with the Central for an interchange of traffic and indeed, except on a small part of its lines, it is not equipped to do or in fact doing a freight business, nor has it, so far as we know, freight cars which it could make use of in establishing relations with us for the interchange of equipment. Until the International Company desires to enter into a reciprocal arrangement for handling freight and provides equipment suitable for exchange and to as large an extent as we should be called upon to furnish in case we sent out freight cars over its lines, we do not feel called upon, at the request of the Newfane Manufacturing Company, to let our cars go off our own line and on to that of the trolley company. We do not wish to be understood, however, as admitting that the New York Central is obliged to enter into an arrangement with a traction company such as the one in question for the interchange of business. Courts have had that matter under consideration and there have been some decisions upon it, but we do not regard the question as finally settled."

A copy of this answer was sent to complainants, with a letter asking it to make such reply as it desired, at its convenience. Nothing further was heard from complainants; and the case was closed.

[Case No. 3812] LXXIII *April 16, 1907.*

In the matter of the Complaint of WALTER C. GREENE of Schenectady *against* the SCHENECTADY RAILWAY COMPANY, as to Overcrowding of Cars.

This complaint was filed with the former Board of Railroad Commissioners November 19, 1906. It alleged that cars on the State street line of the company in Schenectady were overcrowded during rush hours. The company answered, giving the result of a count taken at the corner of Nott Terrace and State street, as follows: "Between the hours of 6:08 a. m. and 8:41 a. m. on November 22d there were seventy-five cars west bound (the direction of travel at that hour) which makes very close to a two minute headway. The actual seating capacity amounts to 2,550, and the actual number of passengers carried amounts to 2,477." The complainant replied, suggesting that a count be taken at other hours. A report was made by an inspector of the Board, and the Board recommended to the company that it operate seven additional cars on its lines in Schenectady between 5 and 8:15 a. m., and between 4:45 and 6 p. m. The company informed the Board that six new cars which it had ordered were being electrically equipped and would be put in service as fast as completed, and that it had ordered six additional cars which had not yet arrived, making twelve new cars in all. The case was closed.

[Case No. 3725] LXXIV *April 16, 1907.*

In the matter of the Complaint of JOHN R. DORLAND *against* the RUTLAND RAILROAD COMPANY, as to Fences.

This complaint was filed with the former Board of Railroad Commissioners September 19, 1906. It alleged that the company did not maintain its fences along complainant's farm. After correspondence with the company, new fences were constructed; and the case was closed.

[Case No. 3644] LXXV *April 16, 1907.*

In the matter of the Complaint of JAMES ACKROYD AND SONS *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, and THE DELAWARE AND HUDSON COMPANY, as to Switching Charges.

This complaint was filed with the former Board of Railroad Commissioners July 12, 1906. It alleged that a charge of $4.50, made by The Delaware and Hudson Company for switching a car of mill cinders from its tracks to the New York Central railroad, at Albany, was excessive; and that a charge of $9, made by the New York Central for switching the same car from Albany to Rensselaer, was also excessive. Both companies answered, averring that the switching charges were reasonable. Hearings in the matter were set for various dates, and postponed at the request of the attorney for complainant. Finally, the matter was closed, the complainant not having proceeded.

[Case No. 3531] LXXVI *April 16, 1907.*

In the matter of the Complaint of HENRY G. WYNN of New York city *against* the NEW YORK AND QUEENS COUNTY RAILWAY COMPANY.

This complaint was filed with the former Board of Railroad Commissioners March 12, 1906. It alleged that the company was not operating sufficient cars on what is called its cemetery line, running from the Thirty-fourth street ferry to certain cemeteries. After correspondence with the company, it increased the service. Subsequently, other complaints were made by Mr. Wynn, and hearings were set on two occasions, but Mr. Wynn informed the Board that he could not attend the hearings. The result of this complaint was that the schedule was changed from twenty minutes to ten minutes between cars; and the case was closed.

[Case No. 4006] LXXVII *April 17, 1907.*

In the matter of the Complaint of HENRY FOOTE of Northville *against* the FONDA, JOHNSTOWN AND GLOVERSVILLE RAILROAD COMPANY, as to Damage to Freight.

This complaint was filed with the former Board of Railroad Commissioners March 27, 1907. It alleged that a shipment of glass was broken in transit, and that the company did not reply to the claim for damages, amounting to $4. The company had answered that it had no knowledge of the claim, and that if complainant would furnish it with the data, the claim would be investigated and adjusted without delay. A copy of this answer was sent to complainant, and nothing further having been heard from him, the case was closed.

[Case No. 3971] LXXVIII *April 17, 1907.*

In the matter of the Complaint of G. V. DILLENBECK of Albany *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Non-Delivery of Freight.

This complaint was filed with the former Board of Railroad Commissioners March 13, 1907. It alleged that a package of freight was not delivered at the Albany freight house to a truckman sent for it, the company demanding the bill of lading or better identification than the written order which the truckman had. The company answered, that the freight was "over;"

"estray;" that the consignee was notified to this effect, and that proof of ownership would be required; that "the agent explained to the cartman that the freight was over and that bill of lading should be presented in order that agent might ascertain from what point the freight was shipped and in this manner secure waybill showing charges, etc. Later the bill was received and turned over to Fraser & Kelly, truckman, together with the box, in order that the package might be delivered without further delay." A copy of this answer was sent to complainant, and nothing further having been heard from him, the case was closed.

[Case No. 3970] LXXIX *April 17, 1907.*

In the matter of the Complaint of WEIDMAN, WARD & COMPANY of Albany *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Delay in Shipment of Freight.

This complaint was filed with the former Board of Railroad Commissioners March 13, 1907. It alleged that carloads of sugar from Yonkers were unreasonably delayed in transit to Albany. The company answered, that the delay was due "to the heavy run of freight on the Hudson River division and to congestion of freight at Yonkers. We succeeded in getting the two cars out of Yonkers on the 15th, and I understand that they arrived at Albany about noon on Saturday, the 16th. Instructions were given to have the cars switched out and placed for delivery at once on arrival, and Weidman, Ward and Company have been advised to this effect by this company." A copy of this answer was sent to complainants. No reply was received, and the case was closed.

[Case No. 3953] LXXX *April 17, 1907.*

In the matter of the Complaint of W. H. HOLMES of New York city *against* the INTERBOROUGH RAPID TRANSIT COMPANY, Lessee Manhattan Railway, as to Overcrowding of Trains.

This complaint was filed with the former Board of Railroad Commissioners February 28, 1907. It alleged that downtown express trains on the Ninth avenue division, Manhattan railway, about 8:30 a. m., were overcrowded, the complainant naming a particular train on February 27th, which he alleged had been reduced from seven cars to six. The company answered, that the allegation as to the particular train was true, the reason being "that the regular seven-car train due to make that trip was delayed in getting out of the yard." Complainant replied, stating that "I might say that since my complaint was made I have not noticed a six-car train in the express service, whereas previously it occurred about one morning out of two or three." The case was closed.

[Case No. 3952] LXXXI *April 17, 1907.*

In the matter of the Complaint of the SHOEMAKER COMPANY *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Failure to Furnish Hay Cars.

This complaint was filed with the former Board of Railroad Commissioners February 28, 1907. It alleged that the company failed to furnish complainant, at Aurelius, Cayuga county, a sufficient number of cars for the shipment of hay. The company answered, alleging shortage of cars, and a copy of its answer was sent to complainant, who replied, a statement in its reply being: "We have been furnished with some cars since taking the matter up with you, and we are now only some four or five short." The case was closed.

[Case No. 3886] LXXXII *April 17, 1907.*

In the matter of the Complaint of FRANK W. HUNT AND OTHERS *against* the NORTHERN CENTRAL RAILWAY COMPANY, as to Employees' Relief Fund.

This complaint was filed with the former Board of Railroad Commissioners December 17, 1907. It was in relation to the employees' relief fund of the Northern Central railway (Pennsylvania railroad). This Board having no jurisdiction in the matter, the complaint was returned to the attorney for complainants.

[Case No. 3852] LXXXIII *April 17, 1907.*

In the matter of the Complaint of LEWIS L. YOUNG of Brooklyn *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners December 12, 1906. It complained, generally, of the service rendered the public by the company. The company answered, and complainant replied to the company's answer. As all of the matters complained of were being investigated by the Board in other complaints, and on its own motion, this case was closed.

[Cases Nos. 3846 and 3851] LXXXIV *April 17, 1907.*

In the matter of the Complaints of WILLIAM H. SAGE, C. H. MCDONALD, W. N. CAPEN, AND OTHERS *against* THE NEW YORK CENTRAL AND HUDSON RIVER and THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANIES, as to Service Rendered the Public.

These complaints were filed with the former Board of Railroad Commissioners in December, 1906. They alleged that local passenger trains between New York city and points mainly in Westchester county were often late. The matter was investigated by the Board, and a hearing held in New York city March 12th. The cases were closed.

[Case No. 3753] LXXXV *April 17, 1907.*

In the matter of the Complaint of H. P. QUICK *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, Relative to Transfer Point.

This complaint was filed with the former Board of Railroad Commissioners October 9, 1906. It alleged that the company did not issue transfers between its Montague street cable line and its elevated line at City Hall square. The questions involved were then pending in the courts, and the Board did not proceed in this matter.

[Case No. 3774] LXXXVI *April 17, 1907.*

In the matter of the Complaint of ST. LAWRENCE COUNCIL NO. 276, ORDER OF UNITED COMMERCIAL TRAVELERS OF AMERICA, *against* the RUTLAND RAILROAD COMPANY, as to Schedule of Passenger Trains.

This complaint was filed with the former Board of Railroad Commissioners October 23, 1906. It alleged that the time of certain passenger trains to and

from Ogdensburg did not properly accommodate the public. A hearing in the matter was given December 4, 1906. Thereafter, the Board recommended to the company "that no change be made in the present winter schedule of eastbound trains Nos. 264 and 252, running through from Ogdensburg to Alburg, nor in the time of trains Nos. 251 and 263, running from Alburg to Ogdensburg; that train No. 250, now scheduled to leave Ogdensburg at 10:45 a. m., and connecting with train No. 7 on the Rome, Watertown and Ogdensburg division of the New York Central and Hudson River railroad at Norwood, then running through to Cherubusco as a mixed train, be not changed; but that train No. 257, west, now scheduled to leave Cherubusco at 4:50 p. m., running through to Ogdensburg as a passenger train, arriving there at 8:15 p. m., be scheduled to leave Cherubusco not later than 4:10 p. m., and run through to Ogdensburg, the same as now, as a passenger train, to make connection with the 6 o'clock train west on the Rome, Watertown and Ogdensburg division of the New York Central and Hudson River railroad, then continued through to Ogdensburg, arriving there at about 7 p. m. The company complied with the recommendations. The company was heating, by stove, a passenger car used in a straight passenger train. This practice was a violation of law, and was discontinued.

[Case No. 4027] LXXXVII *April 30, 1907.*

In the matter of the Complaint of RESIDENTS OF THE BOROUGH OF QUEENS *against* the NEW YORK AND QUEENS COUNTY RAILWAY COMPANY, as to service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners April 17, 1907. It alleged insufficient service on the Corona line of the company. The matter was involved in investigations which the Board was making, and which are reported under this title. This case was closed.

[Case No. 4015] LXXXVIII *April 30, 1907.*

In the matter of the Complaint of ABRAHAM HARRIS *against* the NEW YORK CITY RAILWAY COMPANY.

This complaint was filed with the former Board of Railroad Commissioners April 12, 1907. It alleged that a driver of one of the Avenue C horse cars invariably refused to stop the car for passengers to alight. The company answered, that "the employee in question was dismissed from the service of the company before the receipt of your letter."

[Case No. 4011] LXXXIX *April 30, 1907.*

In the matter of the Complaint of HAROLD ALLAIRE of Oneonta *against* THE DELAWARE AND HUDSON COMPANY.

This complaint was filed with the former Board of Railroad Commissioners April 5, 1907. It alleged that in the Oneonta yard trains were not properly flagged; and that freight cars, in some instances, were not properly equipped with brakes and brake rigging. The company replied:

"In reply I beg to say that I find, upon investigation, that this man was recently discharged from our service for insubordination. His complaint is evidently prompted by a spirit of revenge and so far as I am able to find, there is nothing to it; it appears to be without foundation, in fact, in any particular."

A copy of this answer was sent to complainant, who did not reply; and the case was closed.

[Case No. 3939] XC *April 30, 1907.*

In the matter of the Complaint of RESIDENTS OF CHURCHVILLE *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Passenger Train Service.

This complaint was filed with the former Board of Railroad Commissioners February 18, 1907. It asked that the company change the time of its 7:09 a. m. passenger train for Rochester to 7:24 a. m., and that it cause a passenger train leaving Rochester about 11:30 to stop at Churchville. The company arranged for the train in the morning to leave Churchville at 7:11; and for the train leaving Rochester at 11:25 p. m. to stop at Churchville. The complainants expressed themselves as satisfied; and the case was closed.

[Case No. 3898] XCI *April 30, 1907.*

In the matter of the Complaint of THERON MCCAMPBELL, PRESIDENT OF THE HOME PATTERN COMPANY, *against* the FORTY-SECOND STREET, MANHATTANVILLE AND ST. NICHOLAS AVENUE RAILWAY COMPANY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners January 15, 1907. It alleged that the company did not run enough cars on Forty-second street. Complainant's interest is, that his company employs many hands in its plant on West Forty-second street. The Board recommended to the company, as follows:

1. That the company cause the present service on Forty-second street to be increased by the operation of three additional cars, east bound, passing the Grand Central Station between the hours of 7 and 8 a. m.
2. That this operation be increased by eleven additional cars, east bound, passing the Grand Central Station between the hours of 11 a. m. and 12 m.
3. That this operation be increased by ten additional cars, east bound, passing the Grand Central Station between the hours of 12 m. and 1 p. m.
4. That this operation be increased by nine additional cars, east bound, passing the Grand Central Station between the hours of 1 and 2 p. m.
5. That this operation be increased by eight additional cars, east bound, passing the Grand Central Station between the hours of 2 and 3 p. m.
6. That this operation be increased by seven additional cars, east bound, between the hours of 3 and 4 p. m.
7. That this operation be increased by two additional cars, west bound, between the hours of 11 a. m. and 12 m.
8. That this operation be increased by ten additional cars between the hours of 12 m. and 1 p. m., west bound.
9. That this operation be increased by nine additional cars, west bound, passing the Grand Central Station between the hours of 1 and 2 p. m.
10. That this operation be increased by ten additional cars passing the Grand Central Station, west bound, between the hours of 2 and 3 p. m.
11. That this operation be increased by eight additional cars, west bound, passing the Grand Central Station between the hours of 3 and 4 p. m.

These recommendations were complied with, and the case was closed.

[Case No. 3875] XCII *April 30, 1907.*

In the matter of the Complaint of WILLIAM STONEBRIDGE of New York city, as to Transfers.

This complaint was filed with the former Board of Railroad Commissioners December 27, 1906. It was in relation to transfers from the Union railway to the New York city Interborough railway. This was a matter which the Board had considered, among other things, at a hearing in the Bronx November 23, 1906; and this complaint was closed.

[Case No. 3854] XCIII *April 30, 1907.*

In the matter of the complaint of HAMILTON FISH *against* the NEW YORK CITY RAILWAY COMPANY, as to Service Rendered the Public on its Madison Avenue Line.

This complaint by Hamilton Fish of New York city against the New York City Railway Company was filed with this Board December 14, 1906. It alleged that on the Madison avenue line of said company the service rendered the public was inadequate; that cars were operated at long intervals and were overcrowded; and suggested the starting of cars from Forty-second street, running north, in the rush hours from about 4:30 to 6:30 in the afternoon, and the starting of cars from Eighty-sixth street, south bound to Forty-second street, from 7:30 to 9 o'clock in the morning. A copy of the complaint was sent to the company, which answered in detail, stating among other things, that it was impracticable to operate cars from Forty-second street north as suggested, but not referring to the operation of cars from Eighty-sixth street south to Forty-second street, as suggested. William E. Rogers of New York city also complained as to the operation of this line. A careful inspection and check of the service on this line was made by the electrical expert of this Board, who reported the result in detail, his report containing recommendations as to increased service.

We believe from this report that the service on this line should be increased, and we are enabled therefrom to make specific recommendations.

This Board, therefore, hereby recommends to the New York City Railway Company, as follows:

1. That the average number of south bound cars operated on the Madison avenue line, passing a point on Forty-second street, be increased between the hours of 7 and 8 a. m., from 56 to 60.

2. That the average number of Madison avenue cars passing a point on Forty-second street, south bound, between the hours of 11 a. m. and 12 m., be increased from 41 to 52. That the average number of north bound cars operated on the Madison avenue line between 11 a. m. and 12 m., be increased from 58 to 61.

3. That the average number of north bound cars operated on the Madison Avenue line, passing a point on Forty-second street between the hours of 12 m. and 1 p. m., be increased from 43 to 50. That the average number of Madison avenue cars, south bound, passing a point on Forty-second street between the hours of 12 m. and 1 p. m., be increased from 45 to 54.

4. That the average number of north bound Madison avenue cars passing a point on Forty-second street between the hours of 1 and 2 p. m., be increased from 44 to 54. That the average number of Madison avenue south bound cars passing a point on Forty-second street between the hours of 1 and 2 p. m,, be increased from 44 to 54.

5. That the average number of Madison avenue north bound cars passing a point on Forty-second street between the hours of 2 and 3 p. m., be increased from 42 to 53. That the average number of Madison avenue south bound cars passing a point on Forty-second street between the hours of 2 and 3 p. m., be increased from 46 to 55.

6. That the average number of Madison avenue north bound cars passing a point on Forty-second street between the hours of 3 and 4 p. m., be increased from 46 to 55. That the average number of Madison avenue south bound cars passing a point on Forty-second street between the hours of 3 and 4 p. m., be increased from 48 to 56.

As to compliance with these recommendations, the electrical expert for the Board reported as follows:

"In the matter of the Board's recommendations to the New York City Railway Company, for increased service on the Madison avenue line, in connection with the Hamilton Fish complaint referred to in yours of April 22d, I submit:

"May 17 and 18, 1907, a check of the service furnished on this line was made with the following result:

"Recommendation No. 1 was being complied with, and 67 cars, south bound, were being operated, an excess of 7.

"Recommendation No. 2 was not being complied with; 50 south bound and 46 north bound cars were run between the hours of 11 a. m. and 12 m., being 2 south bound and 15 north bound cars less than the recommendation calls for.

"Recommendation No. 3 was not being complied with. There were 37 south bound and 46 north bound cars operated between the hours of 12 m. and 1 p. m., being 17 south bound and 4 north bound less than the recommendation calls for.

"Recommendation No. 4 was not being complied with. There were 52 south bound and 40 north bound cars operated between the hours of 1 and 2 p. m., being 2 south bound and 14 north bound cars less than called for by the recommendation.

"Recommendation No. 5 was practically being complied with. There were 52 south bound and 57 north bound cars operated between the hours of 2 and 3 p. m., being 3 less south bound cars, and 4 more north bound, than the recommendation called for.

"Recommendation No. 6 was practically being complied with. There were 64 south bound and 49 north bound cars operated between the hours of 3 and 4 p. m., being 8 more south bound, and 6 less north bound, than the recommendation required."

[Case No. 3955] XCIV *May 8, 1907.*

In the matter of the Complaint of GEORGE KAMP *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Delay in Moving Freight from Prospect, Oneida county.

This complaint was filed with the former Board of Railroad Commissioners March 2, 1907. It alleged delay in shipments of fishing rods of complainant from Prospect station. The company answered, that "I beg to advise you that the shipment in question was delivered at our freight house at Prospect on the afternoon of February 25th, too late to go forward on that date. It was billed out on the 26th, but owing to difficulty on the line on 26th, 27th, and 28th the shipment could not be moved. It was moved on the first available train on the 29th. While this delay is to be regretted, at the same time, we have gone into the matter very carefully and know of our personal knowledge that everything possible was done to facilitate the movement." The complainant replied that he did not wish to proceed further in the matter.

[Case No. 3974] XCV *May 8, 1907.*

In the matter of the Complaint of WILLIAM SCHELL *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to its Lexington Avenue Line.

This complaint was filed with the former Board of Railroad Commissioners March 14, 1907. It alleged that trains on the Lexington avenue elevated line were overcrowded between 7:45 and 8:10 a. m., because the trains had been reduced to five cars. The electrical expert of the Board reported, that "this complaint was dated March 12, 1907, and investigation showed that it was justified. On account of a large number of disabled cars, the company was at that time running five-car trains on the Lexington avenue line, which during the rush hours were overloaded. At present, all trains leaving Cypress Hills on the Lexington avenue line between 6:52 and 7:59 a. m., are six-car trains. All local trains leaving Gates avenue from 7:28 to 8:28 a. m. on this line are six-car trains. Six-car trains are also run during the evening rush hours from the Brooklyn end of the Brooklyn Bridge." The case was closed.

[Case No. 4013] XCVI *May 8, 1907.*

In the matter of the Complaint of WILLIAM STONEBRIDGE of New York city *against* the NEW YORK CITY INTERBOROUGH RAILWAY COMPANY.

This complaint was filed with the former Board of Railroad Commissioners April 6, 1907. It is as follows:

"I respectfully beg to complain regarding the failure of the New York City Interborough R. R. Co., to give direct service to the Bronx Zoölogical Park by

reason of the said company compelling passengers to transfer and walk a block to the next car, in the vicinity of 189th Street and Washington Avenue, by reason of the construction of a sewer in the said 189th Street from Washington Avenue to Arthur Avenue, a distance of four blocks. The said New York City Interborough Company, are now operating practically two lines of cars in order to reach Bronx Park, having two terminus to the road, one at 189th Street and Washington Avenue and at 180th St. and Third Avenue. There is absolutely no reason I can see why the said company could not carry passengers direct to the Park by running direct down Third Avenue and thence through to 180th Street and back to 189th Street, that is making the Easterly end of the sewer obstruction a temporary terminus."

The company answered as follows:

"The suggestion contained in said complaint can not be complied with as this company has no franchise on Third Avenue between 180th and 189th Streets, nor has it any trackage agreement between those points with the Union Railway Company. The New York City Interborough Co. endeavored, at considerable expense, to restrain the contractor from interfering with operation of cars, but the Courts decided against us and there is nothing we can do but exercise a little patience for a few weeks until the sewer is completed."

The complainant replied, stating: "I have seen the cars of his (the Interborough) company running down Third Avenue between 179th Street and 189th Street, day and night since the said sewer obstruction."

A hearing in the matter was held in New York city April 19th at which it appeared that the Board had not jurisdiction to compel the Interborough to operate on Union railway tracks, as suggested; and the case was closed.

[Case No. 4053] XCVII *May 22, 1907.*

In the matter of the Complaint of J. W. DOUBLEDAY of Jamestown *against* the ERIE RAILROAD COMPANY, as to Obstruction of View of Crossing.

This complaint was filed with the former Board of Railroad Commissioners May 7, 1907. It alleged that the Erie Railroad Company had allowed the erection of a shoe shining booth at the junction of Main street and the company's railroad in Jamestown, which obstructed the view of approaching trains. The booth has been removed.

[Case No. 3950] XCVIII *May 22, 1907.*

In the matter of the Complaint of HENRY H. ELLIOTT AND OTHERS *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to New Steel Cars.

This complaint by Mr. Elliott was filed with the former Board of Railroad Commissioners February 26, 1907. It alleged that the new steel cars to be used in the electric zone in the vicinity of New York city were fitted with sliding doors which might jam and prevent egress in case of accident. Others complained as to bars on the windows of these cars, which might prevent escape in case of fire. The company answered, in regard to the doors; "Instructions have been issued for a careful inspection of the doors and all other parts of these cars before going out on each trip, in order to be certain that everything is in working condition." In relation to the windows, Commissioner Rockwell reported, as follows: "The windows on the new steel cars used by the New York Central and Hudson River railroad in the so-called 'Electric Zone' have been supplied with stops, so that it is not possible to raise them to a height greater than about nine and one-half inches. After an investigation of this subject, and a consideration of various attachments which might enable the windows to be raised higher and still form a sufficient protection, yet which in case of accident could be easily removed, we are of the opinion that the present arrangement is the best that can be used. Any attachments which can be easily removed would be a source of danger on

account of the possibility of their being tampered with by careless persons; while those which have occurred to us as giving adequate protection would require to be so fastened as to necessitate some effort in their removal." The case was closed.

[Case No. 4058] XCIX *May 28, 1907.*

In the matter of the Complaint of W. P. V. BRADLEY of Brooklyn *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to Condition of Cars.

This complaint was filed with the former Board of Railroad Commissioners May 14, 1907. It alleged that open cars operated on the Flatbush avenue line of the company, particularizing open car No. 620, were not in good condition. The company answered, that the car specified, No. 620, had been ordered put in a "proper state of repair at once." The case was closed.

[Case No. 3848] C *May 28, 1907.*

In the matter of the Complaint of W. H. HOLMES of New York city *against* the INTERBOROUGH RAPID TRANSIT COMPANY, Lessee Manhattan Railway.

This complaint was filed with the former Board of Railroad Commissioners December 4, 1906. It alleged that an additional stairway should be constructed at the Ninth avenue elevated railroad station at Cortland street. The Board so recommended, and the company not complying, the case was, on May 3, 1907, turned over to the Attorney-General for his consideration and action.

[Case No. 3731] CI *June 5, 1907.*

In the matter of the Complaint of WALTER B. JAMES, M. Y., of New York city, *against* THE DELAWARE AND HUDSON COMPANY, as to Passenger Fare.

This complaint was filed with the former Board of Railroad Commissioners September 25, 1906. It alleged that the passenger fare of ten cents a mile on the Saranac and Lake Placid railway branch of this company was unreasonable. After correspondence with the company, the fare on this branch was reduced to three cents a mile.

[Case No. 3805] CII *June 14, 1907.*

Recommendations to the NEW YORK CITY RAILWAY COMPANY.

By reason of the large increase in travel which is constantly developing on the lines operated by the New York City Railway Company in the Borough of Manhattan, and in view of the probable further increase during the coming holiday season, the Board of Railroad Commissioners makes the following recommendations:

1. That the New York City Railway Company cause the service on all of its lines operated by electricity in the Borough of Manhattan, during the hours 6:30 to 9 a. m., and from 5 to 7 p. m., to be increased ten per cent., and that the increased service recommended for the hours above stated be continued during the hours from 9 a. m. to 5 p. m., on each week day.

2. That the above recommendations take effect November 26, 1906.

Under date of December 27, 1906, the electrical expert of the Board reported that these recommendations were being complied with.

In May, inspectors for the Board reported that the company was not complying with these recommendations. Upon communicating with the company, it informed the Board, under date of June 8th, that "it was deemed by the officers of said company that the recommendations in question referred to the holiday season only. However, notwithstanding this inference, the particular recommendations are substantially being carried out at the date hereof." The case was closed.

[Case No. 4101] CIII *June 25, 1907.*

In the matter of the Complaints of JOHN H. WRIGHT and GEORGE LEE of Bangall *against* the POUGHKEEPSIE AND EASTERN RAILWAY COMPANY, as to Fences.

These complaints were filed with the former Board of Railroad Commissioners June 13, 1907. They alleged that the company did not maintain its fences along the complainants' farms. After correspondence with the company, the fences were repaired; and the case was closed.

[Case No. 4094] CIV *June 25, 1907.*

In the matter of the Complaint of R. R. BRANDOW of Jordanville *against* the ONEONTA AND MOHAWK VALLEY RAILROAD COMPANY, as to Passenger Fare.

This complaint was filed with the former Board of Railroad Commissioners June 7, 1907. It alleged that an extra fare of five cents, collected on the cars of the company where a ticket had not been purchased, was unreasonable. The company answered, that notice of this extra fare is conspicuously posted in all ticket offices, and that its object is to induce passengers to purchase tickets instead of paying fares on the cars. After consideration, the Board determined not to proceed further in the matter; and the case was closed.

[Case No. 4091] CV *June 25, 1907.*

In the matter of the Complaint of ELIAS FRITZ of Nunda *against* THE PITTSBURGH, SHAWMUT AND NORTHERN RAILROAD COMPANY, as to Filling in a Trestle.

This complaint was filed with the former Board of Railroad Commissioners June 4, 1907. It alleged that the company was filling in a trestle on its railroad through complainant's farm, which would abolish any undergrade farm crossing of the railroad and substitute a farm crossing at grade; also interfering with drainage of surface water. While the Board was familiar with the reasons of safety which lead to the filling in of trestles on railroads, it asked the company to answer this complaint. The company answered, that it proposed to operate heavy power on the division of its railroad in question, and this trestle was being filled in the interest of safety; that the drainage could be taken care of by a pipe drain. The case was closed.

[Case No. 4092] CVI *June 25, 1907.*

In the matter of the Complaint of CHARLES WOOD of Lansingburgh *against* the UNITED TRACTION COMPANY, as to Passenger Fare.

This complaint was filed with the former Board of Railroad Commissioners June 4, 1907. It related to the refusal of a transfer on a car of the company running from Albany to Troy. After correspondence, the Board determined that it would not proceed further in the matter; and the case was closed.

[Case No. 4083] CVII *June 25, 1907.*

In the matter of the Complaint of WILLIAM HENRY HORTON of Rochester *against* the ERIE RAILROAD COMPANY, as to Block Signal Operators.

This complaint was filed with the former Board of Railroad Commissioners May 28, 1907. It alleged that the company was employing incompetent block signal operators, without giving any particulars. The company answered, denying the allegation and giving particulars of its system of employment. A copy of this answer was sent to complainant, who did not reply. The case was closed.

[Case No. 4080] CVIII *June 25, 1907.*

In the matter of the Complaint of E. H. PORTER, STATE COMMISSIONER OF HEALTH, *against* THE DELAWARE AND HUDSON COMPANY and the RUTLAND RAILROAD COMPANY.

This complaint was filed with the former Board of Railroad Commissioners May 24, 1907. It alleged that the toilet accommodations at the Addison Junction station (joint) of these companies were insufficient. After correspondence with the companies, new accommodations were provided at this station.

[Case No. 4078] CIX *June 25, 1907.*

In the matter of the Complaint of LOUIS M. ANTISDALE of Rochester, and OTHERS, *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Discontinuance of a Passenger Train.

This complaint was filed with the former Board of Railroad Commissioners May 22, 1907. It alleged that the company had discontinued the 5:10 a. m. passenger train from Rochester to Canandaigua, to the detriment of morning newspapers of Rochester which had been formerly distributed by this train. Bakers of Rochester, who had used the train for shipping bread, also complained. The company answered, that "this train was discontinued because it did not pay its running expenses. The passenger travel amounted to absolutely nothing, the trolley competition through that territory having seriously affected all travel via our line. To restore the train would be an absolute loss. We respectfully suggest that the newspapers and others should petition the trolley to start a car at this hour to get their papers to Canandaigua. I wish to point out that in addition to the loss on this train from Rochester to Canandaigua we would have to extend crew from Canandaigua to Rochester to cover the run, which would be an absolute loss going the other way. We would be glad to furnish this service if we could receive reasonable compensation for the operation." A copy of this answer was sent to complainants, who did not reply; and the case was closed.

[Case No. 4077] CX *June 25, 1907.*

In the matter of the Complaint of SAMUEL FINE of New York city *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Overweight Baggage.

This complaint was filed with the former Board of Railroad Commissioners May 18, 1907. It alleged a charge of twenty-five cents for twenty-five pounds overweight baggage from Albany to Schenectady, and from Schenectady to Amsterdam, was excessive. The company answered, that "we beg to

advise that the rules of this company, and, in fact, almost all railroads throughout the United States, provide for a minimum charge for excess baggage, between any two local points, of 25 cents for 100 pounds or fraction of 100 pounds." A copy of this answer was sent to complainant, who did not reply; and the case was closed.

[Case No. 4055] CXI *June 25, 1907.*

In the matter of the Complaint of G. COSTEGRIER AND OTHERS *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Passenger Train Service.

This complaint was filed with the former Board of Railroad Commissioners May 8, 1907. It alleged that the passenger train service in the afternoon, from West Point south to New York, both on the main line and the West Shore railroad, was unsatisfactory. Complaint was also received to the same effect about the service from West Point north in the afternoon. After correspondence with the company, the time of trains north bound and south bound was changed so that it was satisfactory to the complainants; and the case was closed.

[Case No. 4012] CXII *June 25, 1907.*

In the matter of the Complaint of FRED KEENHOLTZ of Altamont, N. Y., AND OTHERS *against* THE DELAWARE AND HUDSON COMPANY, as to Passenger Train Being Late.

This complaint was filed with the former Board of Railroad Commissioners April 6, 1907. It alleged that the 6:10 p. m. train from Albany was frequently late at Altamont, and alleged two specific instances where the train was held to allow an official car to pass. The company answered, that but one of the delays named was caused by the official car, and this only in part, that "so far as holding regular trains for specials carrying officials, I beg to say that this is never intentionally done." A copy of the answer was sent to complainants. No reply was received; and the case was closed.

[Case No. 4005] CXIII *June 25, 1907.*

In the matter of the Complaint of FRED. D. COTANCH of Freeville, N. Y., *against* the LEHIGH VALLEY RAILROAD COMPANY, as to Locomotives Setting Fire.

This complaint was filed with the former Board of Railroad Commissioners April 1, 1907. It alleged that sparks from locomotive engines of the company set fires on complainant's farm. The company answered, denying negligence. The complainant replied to the company's answer, and the company reiterated its denial of negligence. Complainant did not reply to the last answer of the company; and after consideration, the case was closed.

[Case No, 4000] CXIV *June 25, 1907.*

In the matter of the Complaint of G. P. ROGERS of Seneca Falls, N. Y., *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Passenger Train Service.

This complaint was filed with the former Board of Railroad Commissioners March 28, 1907. It alleged that the passenger train service on the Auburn branch of the railroad was poor, asking particularly that the train which

formerly left Rochester at 4:10 p. m. be restored, as it was convenient for complainant to take said train from Geneva to Seneca Falls, his home. The company answered, that "I beg to advise you that the changes recently made in the passenger trains on that line were made after a thorough canvass and careful consideration of the conditions, and the arrangement appeared to be the most satisfactory that could be made and at the same time accommodate the greater number of people. The particular change Mr. Rogers refers to was made with a view of dividing the time equally between trains, for example: Under the previous arrangement train 212 left Geneva at 4:13, train 236 at 8:52, and the train referred to by Mr. Rogers at 5:50, while under the present arrangement train 212 leaves Geneva at 4:34, train 228 at 6:50, and train 236 at 9 p. m., thereby securing a better and more desirable division of time between trains. Under the previous arrangement there was a period of only one hour and thirty-seven minutes between the first and second train mentioned, and a period of three hours between the second and third train. This fact, together with the fact that there is a thirty minute trolley serivce between Seneca Falls and Geneva, leads us to believe that our present schedule would accommodate the greater number of people." Complainant replied, that the train which left Geneva at 5:50 p. m. accommodated numerous people, whereas being compelled to wait until 6:50 p. m., incommoded them. The company rejoined, that "from information we were able to obtain on personal trip over the line a few days ago, it appears that the present passenger schedule is the most satisfactory schedule from the standpoint of the public that has been in effect on the Auburn road for many years, and it is pleasing and satisfactory to at least ninety-five per cent. of our patrons." A report was made by an inspector, and a hearing in the matter was held in Geneva May 7th, at which the complainant appeared in person. No one appeared for the company. After consideration, it appeared to the Board that the public was better accommodated by the 6:50 p. m. train than it would to change the time to 5:50 p. m.; and the case was closed.

[Case No. 3991] CXV *June 25, 1907.*

In the matter of the Complaint of SENECA S. SMITH of Albany, N. Y., *against* the UNITED TRACTION COMPANY, as to Passenger Fare.

This complaint was filed with the former Board of Railroad Commissioners March 21, 1907. It alleged that the company discriminated in passenger fares and in transfers in favor of Troy and points in that vicinity, as compared with Albany and points in that vicinity. The company answered, denying the allegations. An amended complaint and amended answer were filed. Before a date for hearing was set, the complaint was withdrawn; and the case closed.

[Case No. 3982] CXVI *June 25, 1907.*

In the matter of the Complaint of the BOARD OF ALDERMEN OF NEW YORK CITY *against* the NEW YORK CITY RAILWAY COMPANY, *as* to Operation of Cars.

This complaint was filed with the former Board of Railroad Commissioners March 16, 1907. It alleged that the practice of the company in turning back at Thirteenth street some of the south bound cars on its Eighth avenue line was against the interest of the public. The company answered:

"The statements above quoted very clearly set forth the conditions existing as a general proposition; but, during the winter time, when the pavements become slippery with a thin coating of ice, or when heavy falls of snow occur, as has been the case during the past two months, the difficulties of the situation are multiplied many times over, and the congestion, always great along West Broadway, Canal and Hudson streets, becomes so intensified as to cause absolute cessation of movement of the cars for protracted intervals. Without attempting to go into the details, I would say that while ordinarily a car can make the round

trip from Thirteenth street to South Ferry in a little less than an hour, it has happened with great frequency that during snow storms, and for the first two or three days thereafter, that three hours' time was consumed by the cars in making the journey from Thirteenth street to South Ferry and return, and the lapsing of one and one-half to two and one-half hours between the time when a car has passed Thirteenth street, south bound, en route to South Ferry, and the time of passing Thirteenth street, north bound, on the return trip, has become so common during the winter season as to occasion no surprise whenever it occurs. In view of the circumstances to which I have referred, it is evident that if we should cease switching back south bound cars at Thirteenth street, and attempt to send them through Hudson, Canal street and West Broadway, that this course would but serve to heighten the congestion on those thoroughfares, rendering the movement of the cars still slower and creating such an irregularity of headways, not to say an entire absence of cars, on the north bound rail north of Thirteenth street for such long intervals as to create a storm of well-founded protests from people using the line north of Thirteenth street, compared with which the criticism now made regarding the service south of Thirteenth street would sink into insignificance. As a matter of information I would say that our schedule calls for the running of cars south of Thirteenth street at intervals of about two minutes from 5:30 a. m., until 7 p. m., and during a large part of this time the headway is approximately one minute. Every endeavor is made by us to operate the cars south of Thirteenth street with the frequency mentioned, but this is often rendered an impossibility by reason of the existence of conditions which we are powerless to control."

A copy of this answer was sent to the Board of Aldermen. The electrical expert of the Board reported, that "a check of the service on this line below Fourth street was made April 22d and 23d, between the hours of 5:30 a. m. and 7 p. m. The number of cars turned at Fourth street, the number operated through to South Ferry and to Cortlandt Street ferry, and the conditions of loads on them were noted. The above check showed that there were a sufficient number of cars operated below Fourth street to properly accommodate the travel, and any additional cars operated on the lower end of the Eighth avenue line would be to the detriment of the service above Fourth street." After consideration, the Board determined not to proceed further with the matter; and the case was closed.

[Case No. 3958] CXVII *June 25, 1907.*

In the matter of the Complaint of HARRY HOWARD AND C. F. TIMMERMAN, M. D., of Amsterdam *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Trains Passing Station at High Rates of Speed.

This complaint was filed with the former Board of Railroad Commissioners March 4, 1907. It alleged that at times, while local trains were loading and unloading passengers at the Amsterdam station, trains not stopping at that station passed at high rates of speed, endangering local passengers and employees. A report was made by the inspector for the Board, and the recommendation was made to the company that it rigidly enforce its rule in relation to trains being under control approaching stations where passengers are being loaded and unloaded. The company informed the board that "I desire to advise you that the Assistant General Manager has issued instructions to have the attention of enginemen called to rule No. 455, Book of Rules of the Operating Department, and such notice has already been posted." The case was closed.

[Case No. 3956] CXVIII *June 25, 1907.*

In the matter of the Complaint of W. N. SMITH of Brooklyn *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners March 2, 1907. It alleged poor service in the operation of the St. John's place line of the company. The electrical expert of the Board reported, that "the service on the St. John's place line was increased March 15, 1907, and the headway of cars reduced during the non-rush hours from ten minutes to seven and one-half minutes. Cars on this line are operated on a five-minute

headway during the rush hours. Three additional trips are at present run to the Brooklyn City Hall during those hours, to the benefit of local travel. The total number of car trips on this line has been increased from one hundred and forty-four to one hundred and fifty-six." A copy of this report was sent to complainant, who did not reply; and the case was closed.

[Case No. 3934] CXIX *June 25, 1907.*

In the matter of the Complaint of EAST SIDE CITIZENS AND TAXPAYERS' ASSOCIATION OF NEW YORK CITY *against* the INTERBOROUGH RAPID TRANSIT COMPANY, Lessee Manhattan Railway, as to Operation of Trains.

This complaint was filed with the former Board of Railroad Commissioners February 13, 1907. It asked that the company be compelled to operate through trains on its Second avenue Elevated line, between South Ferry and West Farms, "every second or third train to be a through train." The trains now stop at One Hundred and Twenty-ninth street. The company answered that "the matter of running our Second avenue trains to West Farms was taken up some time ago, and it was found impossible to do this in view of the congested conditions already existing between One Hundred and Twenty-ninth and One Hundred and Forty-ninth streets, Third avenue line. The present arrangement was adopted mainly on account of the strong pressure brought to bear on the Rapid Transit Commission by residents of the Bronx." The complainants replied, that two of the prominent citizens' organizations of the Bronx were in favor of the proposal. The electrical expert for the Board reported, that "the running of through trains between the points mentioned would be a convenience to a large number of people who at present transfer at One Hundred and Forty-ninth street, but as this method of operation would cause some delay to the movement of trains, and the congestion at present is such that until some additions to the trackage on the Second and Third avenue lines are made, it is not deemed advisable to make a recommendation for through trains to and from West Farms." Under these circumstances, the case was closed.

[Case No. 3925] CXX *June 25, 1907.*

In the matter of the Complaint of M. T. O'REILLY of New York city *against* the INTERBOROUGH RAPID TRANSIT COMPANY, Lessee Manhattan Railway, as to Delays of Trains.

This complaint was filed with the former Board of Railroad Commissioners February 6, 1907. It alleged that on February 4th, between 6 and 6:30 p. m., "not a local train passed the Fourteenth street station of the Ninth Avenue Elevated railway." The company answered, that this disagreement of the schedule was due to a broken drawbar in a train; the electrical expert of the Board reported to the same effect; complainant was so notified, and did not reply. The case was closed.

[Case No. 3923] CXXI *June 25, 1907.*

In the matter of the Complaint of DAVID G. MCCONNELL of New York city *against* the NEW YORK CITY RAILWAY COMPANY, as to Heating of Cars.

This complaint was filed with the former Board of Railroad Commissioners January 31, 1907. It alleged that the cars of the company on its Amsterdam avenue and Kingsbridge line were not properly heated. The Board had

paid considerable attention to the proper heating of the cars of this company, and made a special investigation in this case, the company contending that the cars were properly heated, and the electrical expert of the Board reporting that "an investigation of the conditions as to heat in cars on this line was made February 7, 1907, between the hours of 4:30 and 8 p. m., when nine cars of the Kingsbridge line were in operation, viz.: Nos. 43, 53, 41, 45, 46, 13, 44, 49, and 42, all of which were properly heated. The period of the investigation was one of the coldest of the winter." A copy of this report and a copy of the company's answer were sent to complainant, who did not reply. The case was closed.

[Case No. 3910] CXXII *June 25, 1907.*

In the matter of the Complaint of the PROGRESS CLUB of Delmar, Albany county, *against* THE DELAWARE AND HUDSON COMPANY, as to Passenger Train Service.

This complaint was filed with the former Board of Railroad Commissioners January 22, 1907. It alleged that the train service between Albany and Delmar should be improved. After correspondence, an additional train was added, and complainants withdrew the complaint.

[Case No. 3908] CXXIII *June 25, 1907.*

In the matter of the Complaint of H. IMMERSCHIED *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to Elevated Railroad Structure.

This complaint was filed with the former Board of Railroad Commissioners January 19, 1907. It alleged that the company should remove a portion of its elevated railroad structure from which the rails had been taken up, on Hudson avenue below Myrtle avenue, this portion being in front of property represented by complainant. It appeared that the company had received lawful permission to abandon its elevated railroad structure on Hudson avenue below Myrtle avenue, and that it had removed all but the portion in question. Complainant alleged that this portion was an eyesore, and that the company was lawfully bound to remove it. The company answered, that "our chief engineer advises me that the usual elevated railroad structure in Hudson avenue was removed to a point as near to the Myrtle avenue structure as it was possible without making extensive changes in the Myrtle avenue structure. I would furthermore advise that inasmuch as the opening of the new East River bridge to be known as bridge No. 3 may require some extensive improvements in that locality, it seems inadvisable to make any changes before the final plans are adopted. I find also that settlement was made with the owner of the property at the corner of Myrtle avenue and Hudson avenue some years ago for the damage to his property due to the presence of the structure in Hudson avenue and Myrtle avenue, so that it would appear that he has no just cause for complaint." The complainant replied, that "I wish to deny the statement that a settlement was made with the owner of the property at the northwest corner of Myrtle and Hudson avenues, Brooklyn. . . . I also wish to deny that this spur . . . has anything to do with the Myrtle avenue structure. . . . The Myrtle avenue structure was built and trains running on it long before the Hudson avenue structure was put up and each structure is independent in itself. The taking out of some bolts is all that is necessary." The company replied, that "the structure left in Hudson avenue is absolutely necessary to sustain the structure in Myrtle and Hudson avenues, according to our engineers, as at this point there are several curves and a tremendous number of trains pass this point hourly." Two reports as to the conditions were made by a civil

engineer employed by the Board. After consideration, the Board determined that it would not proceed further in the matter; that there was at best some question as to the structure's necessity; and that if complainant was injured, he had his remedy in the courts. The case was closed.

[Case No. 3899] CXXIV *June 25, 1907.*

In the matter of the Complaint of FRANK R. CRANDELL of Bernhards Bay, Oswego county, *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD, as to Passenger Trains Not Stopping Directly at Station.

This complaint was filed with the former Board of Railroad Commissioners January 15, 1907. It alleged that on the Rome, Watertown and Ogdensburg railroad, lessor, at Central Square, Oswego county, that railroad and the New York, Ontario and Western railway cross at grade; that the crossing is some distance from the Rome, Watertown and Ogdensburg station building; that Rome, Watertown and Ogdensburg trains stop for the crossing, and do not thereafter stop at the station building, and that passengers are thus incommoded. After an inspection and report by the inspector, the Board recommended to the company "that passenger trains going in both directions make the station stop at its Central Square station on the side of the crossing where the station building is located." This recommendation was complied with.

[Case No. 3897] CXXV *June 25, 1907.*

In the matter of the Complaint of MILLER P. ALLEN, CLERK OF THE VILLAGE OF WEBSTER, and F. L. LOWELL of West Webster *against* THE ROCHESTER AND SODUS BAY RAILWAY COMPANY, as to Service Rendered the Public.

These complaints were filed with the former Board of Railroad Commissioners January 22, 1907. They alleged that the company did not run sufficient cars to and from Webster and West Webster and Rochester. The company increased the service, and the electrical expert of the Board reported that "the matters complained of have been remedied." The case was closed.

[Case No. 2895] CXXVI *June 25, 1907.*

In the matter of the Complaint of WILLIAM R. SOUTHWICK of Brooklyn *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners January 11, 1907. It alleged that the company should run cars all night on its Fifth avenue surface railroad; also that it should heat its waiting rooms at Bay Ridge avenue and Fifth avenue, and at Fifth avenue and Eighty-sixth street, Brooklyn; the complaint alleged particularly that on the night of December 24th complainant's wife waited an hour and a-half for a car, and none came. The company answered, asserting that the cars did run all night, and that the waiting rooms were heated. The electrical expert of the Board reported that "a check of the service of this line was recently made, and it was found that cars were operated on the Fifth avenue line to and from the Thirty-ninth Street ferry, after 12 midnight, on a thirty-minute headway. On the night the check was made, no cars were operated after 4:33 a. m., as the line was blocked by a fire. It is possible that some-

thing of this nature might have interfered with the operation on the night mentioned by Mr. Southwick. In reference to the heating of the waiting rooms at Bay Ridge and Fifth avenue, and at Fifth avenue and Eighty-sixth street, I find that it is probable the complaint of Mr. Southwick was justified at the time it was made, but these waiting rooms are at present being properly heated." A copy of this report was sent to complainant; and the case was closed.

[Case No. 3857] CXXVII *June 25, 1907.*

In the matter of the Complaint of WILLIAM G. KIRKLAND *against* the NEW YORK AND QUEENS COUNTY RAILWAY COMPANY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners November 26, 1906. It alleged that the service on the Flushing-Jamaica line of the company was very poor. A hearing in the matter was given in New York January 16, 1907. This matter was involved in other complaints against the company which are reported under this title. This complainant, under date of February 2nd, informed the Board that "I am glad to be able to report that since the meeting there has been a great improvement, indeed, in the service of the cars between Flushing and Jamaica." This case was closed.

[Case No. 3856] CXXVIII *June 25, 1907.*

In the matter of the Complaint of H. L. C. WENK of Brooklyn *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners December 13, 1906. It alleged that the public was not given proper service on the Tompkins avenue line of the company. A hearing in the matter was held by the Board, and its electrical expert made two reports, the last of which states that "several checks of the service furnished on this line have been made since the date of the first complaint of Mr. Wenk. A copy of the result of one made February 15th and 16th, at the corner of Kingston avenue and Fulton street, between the hours of 6:30 a. m. and 8 p. m., is attached. These checks show that a sufficient number of cars are operated to properly accommodate the travel. They also show that on account of irregularity of movement the people residing along the line of this route are at times greatly inconvenienced. This operation has been the subject of discussion with the company's officials on several occasions, with the result that a starter has been placed on Carroll street, to regulate the movement of cars on that street. An investigation of conditions since this has been done shows that there is great improvement in the regularity of movement of cars, which should relieve the cause of Mr. Wenk's complaint." The case was closed.

[Case No. 3828] CXXIX *June 25, 1907.*

In the matter of the Complaint of R. A. SHAW of Brooklyn *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners November 24, 1906. It alleged that the cars operated on the Montague street cable line of the company were very much overcrowded, even during "that period of the evening when a maximum service is not demanded." After investigation, it appeared that matters could be remedied by the construction of the terminals of the Montague street line at Court street and at the Wall Street ferry which did not seem to be practicable at the time; and the case was closed.

[Case No. 3806] CXXX *June 25, 1907.*

In the matter of the Complaint of HENRY L. BRANT *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to Service Rendered the Public.

This complaint was filed with the former Board of Railroad Commissioners November 13, 1906. It complained generally of the service rendered the public by the company. General recommendations for increased service, dated December 4, 1906, were made to the company (published in 1906 report), which recommendations were complied with. This case was closed.

[Case No. 3726] CXXXI *June 25, 1907.*

In the matter of the Complaint of A. ANDRISSE of Staten Island *against* the RICHMOND LIGHT AND RAILROAD COMPANY, as to Safety of Operation.

This complaint was filed with the former Board of Railroad Commissioners September 18, 1906. It involved the same question of speed of cars referred to in the complaint of the Westerleigh Improvement Society, which is reported under this title. This case was closed.

[Case No. 4116] CXXXII *June 25, 1907.*

In the matter of the Complaint of GEORGE A. EAGAN *against* the SCHENECTADY RAILWAY COMPANY, as to Failure to Provide Shelter Station.

This complaint was filed with the former Board of Railroad Commissioners June 20, 1907. It alleged that a shelter station for passengers should be provided by the company at the east line road stop on its Ballston line. The company answered "If you will advise Mr. Eagan to communicate with the undersigned I believe this matter can be adjusted with fairness to all concerned." A copy of this answer was sent to complainant, but returned through the mail. The case was closed.

[Case No. 3653] CXXXIII *June 25, 1907.*

In the matter of the Complaint of E. C. BRIDGMAN *against* the STATEN ISLAND RAPID TRANSIT RAILWAY COMPANY, Relative to Noises Made by Locomotives.

This complaint was filed with the former Board of Railroad Commissioners July 17, 1906. It alleged excessive ringing of bells and blowing of whistles on locomotive engines of the company, at and near Clifton station. Reports were made by an inspector and by members of the Board, and recommendations were made to the company, which were in part complied with. The case was closed.

[Case No. 3646] CXXXIV *June 25, 1907.*

In the matter of the Complaint of the J. T. PERKINS COMPANY *against* THE BROOKLYN HEIGHTS RAILROAD COMPANY, as to its Greenpoint Line.

This complaint was filed with the former Board of Railroad Commissioners July 13, 1906. It alleged delays in car service on the Greenpoint line of the company. The Board recommended to the company that it "place an

inspector on its Greenpoint line whose duty shall be to patrol the line and to report daily all delays of over three minutes duration to cars on it, and the causes of the same." The company complied with this recommendation. The case was closed.

[Case No. 3818] CXXXV *June 28, 1907.*

In the matter of Recommendations to the RICHMOND LIGHT AND RAILROAD COMPANY and THE STATEN ISLAND MIDLAND RAILROAD COMPANY.

On November 21, 1906, the former Board of Railroad Commissioners recommended to the Richmond Light and Railroad Company and The Staten Island Midland Railroad Company (related companies) that they procure more passenger cars and additional power house equipment. The companies procured more cars, and improved power house equipment.

[Case No. 3699] CXXXVI *June 28, 1907.*

In the matter of the Complaint of the BOARD OF TRUSTEES OF THE VILLAGE OF WHITE PLAINS *against* the TARRYTOWN, WHITE PLAINS AND MAMARONECK RAILWAY COMPANY.

On February 4, 1907, the former Board of Railroad Commissioners recommended to the Tarrytown, White Plains and Mamaroneck Railway Company:

1. That it provide additional power. This recommendation was complied with.
2. That improvement be made in cars. The company reported that it was experimenting with a new brake for cars.
3. That turnouts be installed on the line between Tarrytown and White Plains, so that a ten minutes' headway of cars could be maintained. The electrical expert of the Board reported, under date of June 13th, that these turnouts were being installed. The case was closed.

[Case No. 3734] CXXXVII *June 29, 1907.*

In the matter of the Complaint of the BEDFORD PARK TAXPAYERS ASSOCIATION *against* the UNION RAILWAY COMPANY OF NEW YORK CITY.

This matter was involved in the William Stonebridge complaint, as to operation after 12 midnight, of cars on Kingsbridge line of the company, reported under this title. This case was closed.

[Case No. 4052] CXXXVIII *June 29, 1907.*

In the matter of the Complaint of C. W. BLY of Pittsford, N. Y., *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

This complaint was filed with the former Board of Railroad Commissioners May 6, 1907. It alleged that locomotive engines on the company's railroad between Fairport and Pittsford were not equipped with spark arresters. The company answered, that the locomotives in question belonged to contractors, and had, since the receipt of the complaint, been supplied with spark arresters.

[Case No. 3847] CXXXIX *June 29, 1907.*

In the matter of the Complaint of C. M. PORTER of New York city *against* the NEW YORK CITY RAILWAY COMPANY.

This complaint was filed with the former Board of Railroad Commissioners on December 7, 1907. It referred to the turning back of south bound cars of the company on Broadway near Park place, which practice it was alleged obstructed Broadway, and suggested that a siding be constructed in Park place which could be used for turning the cars back, without so much obstruction of Broadway. The company answered that "I was informed by the municipal authorities that our application for permission to proceed along the lines of the plan above mentioned had been denied by the advice of the corporation counsel, but it was not stated upon what grounds this action was taken." A copy of this answer was sent to complainant, and case closed.

STATIONS AND STATION BUILDINGS.

[Cases Nos. 35–41 and 3978] I *January 9, 1907.*

In the matter of Recommendations to the INTERBOROUGH RAPID TRANSIT COMPANY, as to Elevators at Station.

On May 3, 1906, the former Board of Railroad Commissioners recommended to the Interborough Rapid Transit Company, that it construct a sufficient number of elevators to accommodate the public at the One Hundred and Twenty-fifth street and Eighth avenue station on the Manhattan Elevated railroad, lessor. The company informed the Board that it was unable to obtain necessary consents of adjoining property owners to do the work.

[Case No. 3609] II *January 9, 1907.*

In the matter of the Complaint of the GOWANDA STATE HOMEOPATHIC HOSPITAL *against* the ERIE RAILROAD COMPANY, as to Station.

This complaint was filed with the former Board of Railroad Commissioners June 13, 1906. It alleged that the station of the company at Collins, Erie county, New York, was in bad condition. After correspondence with the company, it informed the Board that "it is our present intention to construct a new station at Collins, N. Y., next summer." A copy of this letter was sent to complainants; and the case was closed.

[Case No. 3742] III *June 29, 1907.*

In the matter of the Complaint of S. L. BLUMENSON of New York city *against* the INTERBOROUGH RAPID TRANSIT COMPANY, Lessee Manhattan Railway.

This complaint was filed with the former Board of Railroad Commissioners September 29, 1906. It alleged that the station at Allen and Rivington streets, on the Second avenue elevated, was inadequate, the stairways being especially narrow. The Board recommended to the company that additional stairways be constructed. The company informed the Board, that "we have made every effort to secure consents for these stairways;" that property owners were interviewed by representatives of the company on the subject "and positively refuse to consent to the erection of a stairway on said corner, and will not consider it at any sum." This case was closed.

[Case No. 3942] IV *March 12, 1907.*

In the matter of the Application of THE STATEN ISLAND RAILWAY COMPANY, under section 34 of the Railroad Law, for consent to the Discontinuance at its Present Site of the Passenger Station on said Company's Railway at Dongan Hills.

This application by The Staten Island Railway Company, under section 34 of the Railroad Law, was filed with this Board February 21, 1907. It asks the consent of the Board to the discontinuance at its present site of the passenger station on said company's railway at Dongan Hills, it being proposed that the station be located at a point between Sea View avenue

and Garretson avenue. A public hearing in the matter was held by this Board in the city of New York March 12, 1907, after public notice. George H. Campbell appeared for the applicant; Arthur Man appeared for the Dongan Hills Realty Company and for residents, not in opposition; Joseph H. Egbert and L. A. Seaver also appeared, not in opposition. After hearing arguments, the hearing was closed. The passenger station at its present location is situated south of and near to Sea View avenue; it is proposed that it be located about one hundred feet north of its present location and at a point between Sea View avenue and Garretson avenue.

This application is hereby granted, and this Board hereby consents, under section 34 of the Railroad Law, to the discontinuance at its present site of the passenger station on the Staten Island railway at Dongan Hills, on condition that said station be located on said company's railway at a point about one hundred feet north of its present location and between Sea View avenue and Garretson avenue.

[Case No. 312] V *April 5, 1907.*

In the matter of the Complaint of HENRY WHITE AND OTHERS *against* the INTERBOROUGH RAPID TRANSIT COMPANY, Lessee Manhattan Railway, as to Inadequate Stairways at Elevated Railroad Stations.

The papers in this matter were turned over to the Attorney-General for his consideration and action, on April 5, 1907.

[Case No. 3853] VI *April 16, 1907.*

In the matter of the Complaint of HENRY W. HELFER of New York city *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY as to Station.

This complaint was filed with the former Board of Railroad Commissioners December 14, 1906. It alleged that the platform waiting room at the One Hundred and Twenty-fifth street station was not heated or lighted. An inspector for the Board reported that at the time of his inspection the room was lighted, but not heated. The company informed the Board that "it has been arranged to place an additional radiator in this waiting room." The complainant was so informed; and the case closed.

[Case No. 3957] VII *April 16, 1907.*

In the matter of the Application of the ERIE RAILROAD COMPANY, under section 34 of the Railroad Law, for Consent to the Discontinuance of its Passenger Station at Crawford Junction, near Middletown.

This application by the Erie Railroad Company, under section 34 of the Railroad Law, was filed with this Board March 4, 1907. The applicant asks for consent to the discontinuance of its passenger station at Crawford Junction, about four miles from Middletown. There is no station building at the point in question. A public hearing on this application, after notice by posting and publication, was given by Commissioner Dickey of this Board at Middletown on April 8, 1907. H. M. Andrews appeared for the applicant; C. A. Evans, supervisor, appeared for the town of Wallkill. Mr. Evans did not state whether or not he was opposed to the application. After hearing evidence and arguments, the hearing was closed. It appears from the evidence at the hearing that the total of tickets and cash fares for

passage to and from Crawford Junction for the twelve months ending January 31, 1907, was $115.58. The passengers now using this station may be accommodated at the Circleville station, two miles away, Commissioner Dickey verbally reported to the Board in favor of the granting of this application. After consideration of this matter, the Board believes that the application should be granted.

The application is, therefore, hereby granted, and this Board hereby consents, under section 34 of the Railroad Law, to the discontinuance of the passenger station of the Erie Railroad Company at Crawford Junction, about four miles from Middletown.

[Case No. 3966] VIII *April 16, 1907.*

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, under section 34 of the Railroad Law, for consent to the discontinuance of its Passenger Station at its present location at Cuddeback, on its Pennsylvania Division.

This application by The New York Central and Hudson River Railroad Company, under section 34 of the Railroad Law, for consent of this Board to the discontinuance of its passenger station at Cuddeback, on its Pennsylvania division, in the town of Phelps, Ontario county, at its present location, was filed with this Board March 18, 1907. A public hearing in the matter was given by Commissioner Baker of this Board, by delegation of the Board, at the Cuddeback station on April 11, 1907. L. P. Van Wert, assistant superintendent Pennsylvania division of the company, appeared for the applicant; Edward Beer, A. A. Middaugh, W. W. Cuddeback, W. S. Cuddeback, Samuel Cuddeback, and Byron Ramer, residents of the locality, appeared, not in opposition. After hearing evidence and arguments, the hearing was closed. It is proposed by the company, if this application is granted, to construct a new station building on its railroad at a point about five hundred feet south of the location of the present station. Commissioner Baker verbally reported to the Board in favor of the granting of this application, the reason for the change being that the company has changed the line of its railroad in this locality.

This application is, therefore, hereby granted, and this Board hereby consents, under section 34 of the Railroad Law, to the discontinuance of the passenger station at Cuddeback, in the town of Phelps, Ontario county, on the Pennsylvania division of the New York Central and Hudson River railroad, at the present location of said passenger station, on condition that The New York Central and Hudson River Railroad Company construct a new passenger station on its railroad at a point about five hundred feet south of the location of the present passenger station, and on condition that the present passenger station be not discontinued until the new passenger station is constructed and ready for use by the public.

[Case No. 3967] IX *April 16, 1907.*

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, under section 34 of the Railroad Law, for Consent to the Discontinuance of its Passenger Station at Thompson, on its Pennsylvania Division.

This application by The New York Central and Hudson River Railroad Company, under section 34 of the Railroad Law, was filed with this Board March 18, 1907. It asks consent to the discontinuance at its present location of the passenger station at Thompson, on the Pennsylvania division of said company's

railroad, in the town of Phelps, Ontario county. The company proposes to construct a new passenger station building on its railroad at a point about two thousand feet south of the location of the present passenger station. A public hearing on this application was held by Commissioner Baker of this Board, by delegation of the Board, at the Thompson station on April 11, 1907. L. P. Van Wert, assistant superintendent of the Pennsylvania division, appeared for the applicant. No one else appeared. After hearing evidence and arguments, the hearing was closed. Commissioner Baker verbally reported to the Board in favor of the granting of this application, the reason for the change being that the company has changed the line of its railroad in this locality.

This application is, therefore, hereby granted, and this Board hereby consents, under section 34 of the Railroad Law, to the discontinuance of the passenger station at Thompson, in the town of Phelps, Ontario county, on the Pennsylvania division of the New York Central and Hudson River railroad, at the present location of said passenger station, on condition that The New York Central and Hudson River Railroad Company construct a new passenger station on its railroad at a point about two thousand feet south of the location of the present passenger station, and on condition that the present passenger station be not discontinued until the new passenger station is constructed and ready for use by the public.

[Case No. 3992] X *April 16, 1907.*

In the matter of the Complaint of EUGENE H. PORTER, STATE COMMISSIONER OF HEALTH, *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to Station.

This complaint was filed with the former Board of Railroad Commissioners March 21, 1907. It alleged that the men's toilet room in the Utica station was in bad condition. The company answered, that "orders have been given to substitute modern plumbing for that about which complaint is made." The complainant was so notified; and the case closed.

[Case No. 4007] XI *April 30, 1907.*

In the matter of the Complaints of PETER OSSONT AND OTHERS *against* THE LOWVILLE AND BEAVER RIVER RAILROAD COMPANY, as to Station.

These complaints were filed with the former Board of Railroad Commissioners April 2, 1907, and other dates in April. They alleged that the company had discontinued the services of an agent at its New Bremen station. The company answered, that "I would beg to advise that this station was opened to the public on January 15, 1906, with one man in charge to transact the duties of a station agent. On account of the small amount of business transacted at this point it was decided to discontinue the agency and make it a prepaid station. It is not our intention to close this station or make it a flag stop, as all regular scheduled trains will make the stop as usual, and we have also arranged for a man and his family to occupy a portion of the station as a dwelling, who will keep the station open, heated and lighted as heretofore and handle freight providing the charges are prepaid." A report in the matter was made by the inspector for the Board, and a hearing held in Albany on April 30, 1907. After hearing evidence and arguments, the complaint was dismissed, without a written opinion.

[Case No. 4024] XII *May 15, 1907.*

In the matter of the Application of the LEHIGH VALLEY RAILROAD COMPANY, under section 34 of the Railroad Law, for Consent to the Discontinuance of its Passenger and Freight Station known as Park Station in the county of Chemung.

This application by the Lehigh Valley Railroad Company, under section 34 of the Railroad Law, was filed with this Board April 15, 1907. The applicant asks consent of this Board to the discontinuance of the applicant's passenger and freight station known as Park Station in the county of Chemung. The petition alleges that the business handled at this station is not sufficient to justify the continuance of the station, and that such business can be taken care of "with satisfaction to itself and patrons at other stations along the route of its railroad." A public hearing in the matter was held by Commissioner Baker of this Board, by delegation of the Board, at the said Park Station on May 6, 1907. Walter P. Cooke appeared for the applicant; Charles Simpson, V. McDowell, Alvah Swayze, John Van Etten, Arthur G. Squires, Jesse Millspaugh, Charles Hollenbeck, and Willie Houck, residents of the locality, appeared in opposition. After hearing evidence and arguments, the hearing was closed. It appeared at this hearing that the company had discontinued the services of an agent at this station. Commissioner Baker verbally reported to the Board against the granting of this application as a whole, but in favor of the making of the station a flag station for passenger trains. This Board concurs in the report of Commissioner Baker.

This application is, therefore, denied so far as the total discontinuance of this Park Station is concerned, but is hereby granted so far as the discontinuance of the services of an agent thereat is concerned, on condition that freight and passenger trains now stopping at said station shall hereafter continue to stop thereat on flag.

[Case No. 4002] XIII *May 15, 1907.*

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, under section 34 of the Railroad Law, for Consent to the Discontinuance of its Passenger Station known as East X, at its present location on the Pennsylvania Division of said Company's Railroad in the town of Phelps, Ontario county.

This application by The New York Central and Hudson River Railroad Company, under section 34 of the Railroad Law, for consent of this Board to the discontinuance of its passenger station at a point known as East X, on its Pennsylvania division, in the town of Phelps, Ontario county, at its present location, was filed with this Board March 30, 1907. A public hearing in the matter was given by Commissioner Baker of this Board, by delegation of the Board, at the present East X station on April 11, 1907. L. P. Van Wert, assistant superintendent Pennsylvania division of the company, appeared for the applicant; Edwin G. Bullard, Henry Cooke and Collin Brownell, residents of the locality, appeared in favor of the application; F. B. Steele appeared for residents of the locality in opposition. After hearing evidence and arguments, the hearing was adjourned to a date to be thereafter fixed. Subsequently, the adjourned hearing was held by Commissioner Baker, by delegation of the Board, in the city of Geneva on May 7, 1907. L. P. Van Wert, assistant superintendent Pennsylvania division of the company, appeared for the applicant; F. B. Steele appeared for residents of the locality in opposition. After hearing evidence and arguments, the evidence was closed. It is proposed by the company, if this application is granted, to construct a new passenger station building at a point about 3,177 feet south of the location of the present station. Commissioner Baker verbally reported to the Board in favor of the granting of this application, the reason for the change being

that the company has changed the line of its railroad in this locality. There was a difference of opinion among those who appeared as to where the new station should be located, but it is the opinion of this Board that it should be located at the point mentioned.

This application is, therefore, hereby granted, and this Board hereby consents, under section 34 of the Railroad Law, to the discontinuance of the passenger station at East X, in the town of Phelps, Ontario county, on the Pennsylvania division of the New York Central and Hudson River railroad at the present location of said passenger station, on condition that The New York Central and Hudson River Railroad Company construct a new passenger station on its railroad at a point about 3,177 feet south of the location of the present passenger station, and on condition that the present passenger station be not discontinued until the new passenger station is constructed and ready for use by the public.

[Case No. 3878] XIV *May 22, 1907.*

In the matter of the Complaint of CHARLES B. SWARTWOOD, FOR CLIENTS, *against* the LEHIGH VALLEY RAILROAD COMPANY, as to its Cayuta station.

This complaint by Charles B. Swartwood, for clients, against the Lehigh Valley Railroad Company, was filed with this Board December 28, 1906. It alleges that the Lehigh Valley Railroad Company has discontinued the services of an agent at its Cayuga station, in Schuyler county, to the inconvenience of the public; that there is a large amount of shipping done on said railroad from this station; and that passengers using the same are inconvenienced. The company answered, admitting that it had discontinued the services of an agent at this station, and alleging that "the accommodations to the public have been curtailed only in the matter of attention being given by the railroad company's station employees." Public hearings in the matter were held by this Board, in Bath on April 9, and in Albany on April 30, and May 22, 1907. Charles B. Swartwood and Owen Cassidy appeared for complainants; Walter P. Cooke and John W. Allen appeared for the company.

We hold that the language in section 34 of the Railroad Law, that "No station established by any railroad corporation for the reception or delivery of passengers or property, or both, shall be discontinued without the consent of the board of railroad commissioners first had and obtained," applies to a complete railroad station, including the services of an agent, where an agent has been employed; that no application having been made to this Board by the company as to the agency, it unlawfully discontinued this station. For this reason alone, the agency should be restored. In addition, it is apparent from the evidence at the hearings and the papers in this case, that the business done at this station is sufficient to warrant the employment of an agent.

We therefore recommend to the Lehigh Valley Railroad Company that an agent be employed at this Cayuta station as soon as practicable; and we hereby notify said company that if this recommendation is not complied with within a reasonable time, the matter of its violation of section 34 of the Railroad Law in discontinuing the services of an agent at this station will be presented to the Attorney-General in accordance with the provisions of section 160 of the Railroad Law, and the matter of its failure to comply with this recommendation will also be presented to the Attorney-General under section 161 of the Railroad Law, for his consideration and action.

[Case No. 4021] XV *May 22, 1907.*

In the matter of the Application of the LEHIGH VALLEY RAILROAD COMPANY, under section 34 of the Railroad Law, for Consent to the Discontinuance of its Passenger and Freight Station known as Oaks Corners, in the county of Ontario.

This application by the Lehigh Valley Railroad Company, under section 34 of the Railroad Law, was filed with this Board April 15, 1907. The application asks the consent of this Board to the discontinuance of the applicant's passenger and freight station known as Oaks Corners, in the county of Ontario. The petition alleges that the business handled at this station is not sufficient to justify the continuation of the station, and that such business "can be taken care of with satisfaction to itself and patrons at other stations along the route of its railroad." A public hearing in the matter, after public notice, was held by Commissioner Baker of this Board, by delegation of the Board, at said Oaks Corners station on May 7, 1907. Walter P. Cooke appeared for the applicant; E. A. Griffith appeared for residents named in a petition filed with Commissioner Baker at the hearing, in opposition. After hearing evidence and arguments, the hearing was closed. After hearing the verbal report of Commissioner Baker on this application and reading the petition filed against it, we believe the application should not be granted.

The application is, therefore, hereby denied.

[Case No. 4025] XVI *May 22, 1907.*

In the matter of the Application of the LEHIGH VALLEY RAILROAD COMPANY, under section 34 of the Railroad Law, for Consent to the Discontinuance of its Passenger and Freight Station known as Vienna, in the county of Oneida.

This application by the Lehigh Valley Railroad Company, under section 34 of the Railroad Law, was filed with this Board April 15, 1907. The application asks the consent of this Board to the discontinuance of the applicant's passenger and freight station known as Vienna, in the county of Oneida. The petition alleges that the business handled at this station is not sufficient to justify the continuation of the station, and that such business "can be taken care of with satisfaction to itself and patrons at other stations along the route of its railroad." A public hearing in the matter, after public notice, was held by Commissioner Baker of this Board, by delegation of the Board, in Vienna on May 6, 1907. Walter P. Cooke appeared for the applicant; Davies, Johnson & Wilkinson appeared for residents of Vienna and vicinity and for the supervisor of the town of Vienna, in opposition. After hearing evidence and arguments, the hearing was adjourned to a date to be thereafter fixed. This adjourned hearing was not held, as this Board, after the verbal report of Commissioner Baker, decided to deny the application.

The application is, therefore, hereby denied.

[Case No. 4022] XVII *May 22, 1907.*

In the matter of the Application of the LEHIGH VALLEY RAILROAD COMPANY, under section 34 of the Railroad Law, for Consent to the Discontinuance of its Passenger and Freight Station known as Besemer, in the county of Tompkins.

This application by the Lehigh Valley Railroad Company, under section 34 of the Railroad Law, was filed with this Board April 15, 1907. The application asks the consent of this Board to the discontinuance of the ap-

plicant's passenger and freight station known as Besemer, in the county of Tompkins. The petition alleges that the business handled at this station is not sufficient to justify the continuation of the station, and that such business "can be taken care of with satisfaction to itself and patrons at other stations along the route of its railroad." A public hearing in the matter, after public notice, was held by Commissioner Baker of this Board, by delegation of the Board, at the said Besemer station on May 6, 1907. Walter P. Cooke appeared for the applicant; Lyman H. Gallagher, George M. Bull, George R. Peck, Omar D. Mulks, Joseph Brown, Walker Personnius, Dr. W. C. Gallagher, Frank M. Bull, B. T. Lot, Marcus D. Roe, and F. M. Wrights appeared in opposition. After hearing evidence and arguments, the hearing was closed. Commissioner Baker reported in writing to the Board against the granting of this application. After reading his report, we believe the application should not be granted.

The application is, therefore, hereby denied.

[Case No. 4023] XVIII *May 22, 1907.*

In the matter of the Application of the LEHIGH VALLEY RAILROAD COMPANY, under section 34 of the Railroad Law, for Consent to the Discontinuance of its Passenger and Freight Station known as West Candor, in the county of Tioga.

This application by the Lehigh Valley Railroad Company, under section 34 of the Railroad Law, was filed with this Board April 15, 1907. The application asks the consent of this Board to the discontinuance of the applicant's passenger and freight station known as West Candor, in the county of Tioga. The petition alleges that the business handled at this station is not sufficient to justify the continuance of the station, and that such business "can be taken care of with satisfaction to itself and patrons at other stations along the route of its railroad." A public hearing in the matter, after public notice, was held by Commissioner Baker of this Board, by delegation of the Board, at the said West Candor station on May 6, 1907. Walter P. Cooke appeared for the applicant; J. T. Gridley appeared for residents of the locality, for the village of Candor, for the town of Candor, and for property owners, in opposition; L. F. Coursen appeared for property owners in opposition. An adjourned hearing in the matter was held by Commissioner Baker at Candor, May 20th, at which James Person appeared for the applicant, and J. T. Gridley and L. F. Coursen appeared as before. After hearing evidence and arguments, the hearing was closed. After hearing the verbal report of Commissioner Baker on this application and reading the papers filed we believe the application should not be granted.

The application is, therefore, hereby denied.

[Case No. 3941] XIX *May 28, 1907.*

In the matter of the Complaint of M. E. ROSS AND OTHERS *against* the PENNSYLVANIA RAILROAD COMPANY, Lessee Western New York and Pennsylvania Railway, as to Station.

This complaint was filed with the former Board of Railroad Commissioners February 19, 1907. It alleged that there is a station on the railway which was called Avon, although it is about two miles from the village of Avon, Livingston county; that in the village, the Erie Railroad Company has a station called Avon; that passengers desiring to reach Avon village, and shippers of freight to Avon village, were led, by the name of the Pennsylvania station, into supposing that station was in the village; and thus annoyance and delays were caused. After correspondence with the Pennsylvania Railroad Company, and a hearing, the name of its station was changed to Nova.

[Case No. 4059] XX *May 28, 1907.*

In the matter of the Application of the BROOKLYN UNION ELEVATED RAILROAD COMPANY, under section 34 of the Railroad Law, for Consent to the Discontinuance of the Station on said Company's Railroad at the Consumers' Park Brewing Company's plant, at a point south of Montgomery street, Brooklyn.

This application by the Brooklyn Union Elevated Railroad Company, under section 34 of the Railroad Law, was filed with this Board May 11, 1907. The application asks the consent of this Board to the discontinuance of the station on said company's railroad at the Consumers' Park Brewing Company's plant, at a point south of Montgomery street, Borough of Brooklyn, New York city, the applicant proposing to discontinue said station from and after November 5, 1907. A public hearing in the matter, after public notice, was held by this Board in the city of New York on May 23, 1907. Charles L. Woody appeared for the applicant; Herbert S. Worthley, representing the Flatbush Board of Trade, and Lewis H. Bounds, representing the Flatbush Taxpayers' Association, appeared in favor of the application; Arthur J. Westermayr appeared for the Consumers' Park Brewing Company and other property owners, in opposition; Stephen M. Hoye appeared for the Consumers' Park Cafe or Hotel property, and another property owner, in opposition; Waldo R. Blackwell appeared for himself and property owners, in opposition. After hearing evidence and arguments, the hearing was closed. The station was established in 1901. The company alleges in its petition:

"That the said station is located in a thinly settled district and is not required for the use and benefit of the traveling public, but is now being used as a means of access to the garden and private grounds of said Brewing Company; that, by reason of the installation of high power contact rails in connection with the Brighton Beach Improvement it will be impracticable to use the said station as it is now constructed, and also the stoppage of trains thereat will seriously interfere with and impair the maintenance of proper schedules between regular stations upon said line of railway, and for other reasons it is undesirable to continue said station from and after the date above mentioned."

Petitions signed by many persons were filed with the Board, protesting against the discontinuance of the station.

While this station is not one of the busy stations on this railroad, it was clear from the evidence at the hearing that it accommodates a substantial number of persons, and we do not feel justified in consenting to its discontinuance.

The application is, therefore, hereby denied.

[Case No. 4061] XXI *June 25, 1907.*

In the matter of the Complaint of MISS H. M. WRIGHT of Cambridge, Washington county, *against* THE DELAWARE AND HUDSON COMPANY and the BOSTON AND MAINE RAILROAD, as to Station.

This complaint was filed with the former Board of Railroad Commissioners May 15, 1907. It alleged that the accommodations for passengers at the Eagle Bridge station, used jointly by both railroads, were not convenient. The inspector for the Board reported that "the accommodations and facilities at Eagle Bridge appear to be reasonably sufficient, and I see no particular ground for complaint." A copy of this report was sent to complainant. No reply was received; and the case was closed.

[Case No. 4064] XXII *June 25, 1907.*

In the matter of the Complaint of E. J. INGERSOLL of Sylvan Beach, Oneida lake, *against* the LEHIGH VALLEY RAILROAD COMPANY, as to Stations.

This complaint was filed with the former Board of Railroad Commissioners May 16, 1907. It sets forth that the company maintains a station at Sylvan Junction, an agent being located there the year 'round; that it also maintains a station at Sylvan Beach, at which an agent is maintained but in the summer time. The company answered that "we are arranging to transfer our agent at Sylvan Junction to Sylvan Beach station, which we will do within the next few days, at which point we will provide an agent all the year 'round." A copy of this answer was sent to complainant. No reply was received; and the case was closed.

[Case No. 4054] XXIII *June 25, 1907.*

In the matter of the Complaint of the TRUSTEES OF THE VILLAGE OF PELHAM MANOR *against* THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY, as to Freight Station.

This complaint was filed with the former Board of Railroad Commissioners May 9, 1907. It protested against an alleged proposition to abandon the freight station of the company on its Harlem River branch at Pelham Manor, growing out of the six tracking and electrification of the Harlem River branch. The company answered, that "it is the intention of this road to provide freight facilities at Pelham Manor, in connection with the six tracking of the Harlem River branch. While I can not give you any definite data, I believe this assurance is all that you desire." A copy of this answer was sent to complainants, who did not reply; and the case was closed.

[Case No. 4109] XXIV *June 28, 1907.*

In the matter of the Complaint of S. W. CROMMOND of Wright, Washington county, *against* THE DELAWARE AND HUDSON COMPANY, as to Station.

This complaint was filed with the former Board of Railroad Commissioners June 13, 1907. It alleged that the company proposed to discontinue its station at Wright. After correspondence with the company, it informed the Board that the station would be open on and after July 1, 1907. The complainant was so notified. He did not reply. The case was closed.

CROSSINGS.

[Grade Crossing Case No. 634] I *January 3, 1907.*

In the matter of the Petition of THE LAKE SHORE AND MICHIGAN SOUTHERN RAILWAY COMPANY, under section 62 of the Railroad Law, as to the Closing and Discontinuance of two Highway Grade Crossings of its Railroad in the town of Brant, Erie county, and the Construction of a new piece of Highway and an Undercrossing of said Railroad.

This petition by The Lake Shore and Michigan Southern Railway Company, under section 62 of the Railroad Law, was filed with this Board October 1, 1906. It alleges that public safety requires the closing and discontinuance of two highway grade crossings of said company's railroad in the town of Brant, Erie county, near the Irving station on said railroad, one of the highways being known as the Strong highway and the other being known as the Erie stage road, and asks this Board to determine that said two grade crossings shall be closed and discontinued, the travel thereon to be diverted therefrom by the construction of a new piece of highway from the Strong highway to the Erie stage road highway, and the construction of an undercrossing of said railroad to be located just west of the Erie Preserving Company's plant, said undercrossing to connect with said new piece of highway on the north of the railroad and with an existing highway or private road just west of the Erie Preserving Company's plant on the south of the railroad; and asks this Board to determine that said new piece of highway and said new undercrossing shall be constructed. On November 17th there was filed with this Board a letter, dated November 16, 1906, from Lockwood, Hoyt & Greene, the attorneys of the company, to the effect that neither the state nor the town of Brant would be called upon to pay any portion of the cost of the changes proposed. This statement was also made by said attorneys at the hearing. A public hearing on this petition, after notice as required by the statute, was held by this Board in the city of Buffalo on January 3, 1907. Lockwood, Hoyt & Greene appeared for the petitioner; Glenny M. Jimerson and Nanny S. Jimerson (Seneca Indians) also appeared. After hearing evidence and arguments, the hearing was closed. A report in this matter was made by the superintendent of the grade crossing bureau in this department.

It seems to this Board, from the evidence, that the changes proposed should be made. This Board, therefore, hereby determines, under section 62 of the Railroad Law, that the crossings at grade of the Lake Shore and Michigan Southern railway in the town of Brant, Erie county, near the Irving station on said railroad, one by the highway known as the Strong highway and the other by the highway known as the Erie stage road highway, shall be closed and discontinued; the travel thereon to be diverted therefrom by the construction north of said railroad of a new piece of highway from the Strong highway to the Erie stage road highway, and the construction of an undercrossing of said railroad to be located just west of the Erie Preserving Company's plant, said undercrossing to connect with said new piece of highway on the north of the railroad and with an existing highway or private road just west of the Erie Preserving Company's plant on the south of the railroad; which said new piece of highway and said undercrossing this Board hereby determines, under section 62 of the Railroad Law, shall be constructed substantially as shown by a blue print plan attached to the office original determination in this matter on file in this office, and entitled "L. S. & M. S. Ry. Irving, N. Y., Proposed Separation of Railway and Highway Grades, Prin. Asst. Engr's Office, Cleveland, O. Scale 1 in.=100 ft. May, 1906. Plan No. 1."

This Board also determines, under section 62 of the Railroad Law, that said Strong highway grade crossing and said Erie stage road highway grade crossing shall not be closed and discontinued until said new piece of highway and said undercrossing are constructed and ready for use by the public.

This Board also hereby determines, under section 65 of the Railroad Law, that none of the cost of the work under this determination shall be borne by the State or by the town of Brant, Erie county.

[Case No. 3823] II *January 3, 1907.*

In the matter of the Application of the WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY, under section 68 of the Railroad Law, as to its single track street surface railroad crossing a switch used jointly by the Pennsylvania Railroad, the Pittsburgh, Shawmut and Northern Railroad, and the Western New York and Pennsylvania Railway (leased to and operated by the Pennsylvania Railroad Company), in South Union Street in the city of Olean.

This application, under section 68 of the Railroad Law, by the Western New York and Pennsylvania Traction Company, was filed with this Board November 23, 1906. It asks this Board to determine how its single track street surface railroad shall cross a switch in South Union street in the city of Olean, which switch is used jointly by the Pennsylvania railroad, the Pittsburgh, Shawmut and Northern railroad, and the Western New York and Pennsylvania railway (leased to and operated by the Pennsylvania Railroad Company), steam railroads. A public hearing in the matter was given by this Board in the city of Buffalo on January 3, 1907. W. L. Marcy and Joseph L. Page appeared for the applicant; A. J. Hastings appeared for the Pennsylvania Railroad Company. After hearing arguments, the hearing was closed. A report in the matter was made by the superintendent of the grade crossing bureau in this department. After consideration, this Board believes that it is justified in determining that this crossing may be made at grade.

This Board, therefore, hereby determines, under section 68 of the Railroad Law, that the single track railroad of the Western New York and Pennsylvania Traction Company shall cross a switch in South Union street in the city of Olean, used jointly by the Pennsylvania railroad, the Pittsburgh, Shawmut and Northern railroad, and the Western New York and Pennsylvania railway (leased to and operated by the Pennsylvania Railroad Company), at the grade of said switch.

This Board also hereby determines, under section 68 of the Railroad Law, that the entire expense of such crossing shall be borne by the Western New York and Pennsylvania Traction Company.

[Case No. 3758] III *January 9, 1907.*

In the matter of the Application of the UNITED TRACTION COMPANY (street surface) for a Modification of the Determination of this Board, dated November 13, 1906, under section 68 of the Railroad Law, of the manner in which a second track of the applicant's railroad shall cross two tracks of the steam railroad operated by THE DELAWARE AND HUDSON COMPANY on Ontario street in the city of Cohoes.

On November 13, 1906, this Board determined, under section 68 of the Railroad Law, that a second track of the United Traction Company's street surface railroad should cross at grade two tracks of the steam railroad operated by The Delaware and Hudson Company on Ontario street in the city of Cohoes. The last paragraph of said determination is:

"This Board also hereby determines, under section 68 of the Railroad Law, that a flagman (as at present) shall be employed at this crossing by The Delaware and Hudson Company, and that a flagman (as at present) shall be employed at this crossing by the United Traction Company."

On December 13, 1906, there was filed with the Board an application by the United Traction Company that this last paragraph be eliminated from said determination of November 13th, the reason given for its elimination being that the United Traction Company and The Delaware and Hudson Company propose to protect this and other grade crossings by a system of towers, towermen, derailing switches, signals, and gates during the twenty-four hours.

Under these circumstances it is unnecessary that flagmen be employed at this crossing, and said determination of this Board of November 13, 1906, is hereby modified by eliminating therefrom the last paragraph thereof.

[Grade Crossing Case No. 584.] IV *January 9, 1907.*

In the matter of the Application by amended petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY and THE TERMINAL RAILWAY OF BUFFALO (joined), under section 60 of the Railroad Law, for a determination of the manner in which four tracks of The Terminal Railway of Buffalo proposed to be constructed in the village of Blasdell shall cross Lakeview avenue and Mile Strip road in said village.

This application by amended petition, by The New York Central and Hudson River Railroad Company and The Terminal Railway of Buffalo (joined), under section 60 of the Railroad Law, was filed with this Board August 14, 1906. The applicants ask the Board to determine the manner in which four tracks of The Terminal Railway of Buffalo proposed to be constructed in the village of Blasdell (in which village The Terminal Railway of Buffalo is operated by The New York Central and Hudson River Railroad Company) shall cross Lakeview avenue and Mile Strip road in said village, it being proposed by the petition that said tracks shall cross Lakeview avenue above the grade of said avenue, and shall cross the Mile Strip road at grade. The Lake Shore and Michigan Southern railway crosses these streets, and two of the said proposed tracks are to be parallel with and immediately east of the Lake Shore, and two parallel with and immediately west of the Lake Shore. A public hearing on this amended petition, after notice as required by the statute, was held by this Board in the city of Buffalo on October 11, 1906. Pooley & Spratt appeared for the applicants; William R. McConnell appeared for the village of Blasdell, in opposition to the proposed location of the overhead crossing of Lakeview avenue. A statement of the position of the village in this matter was filed at the hearing on October 11th, and is as follows:

"To the State Board of Railroad Commissioners:

"The village of Blasdell, N. Y., a municipal corporation by its board of trustees duly qualified, hereby consents to the construction by the N. Y. C. & H. R. R. R. Co. and The Terminal Railway of Buffalo (joined), of four tracks of The Terminal Railway of Buffalo across the Mile Strip road in said village, at grade, at the point where the Buffalo and Susquehanna Railway Company crosses said highway, and to the construction of said tracks across Lake avenue overhead said avenue; provided said tracks across Lake avenue are placed at least 150 feet distant from the present Lake Shore & Michigan Southern Ry. Co.'s right of way, on either side, and the clearance of said overhead crossings be fourteen feet above the present grade of the highway, and no abutments or piers or columns be placed within the street lines.

"Dated, Blasdell, N. Y., October 9th, 1906.

"(Signed) H. ARNOLD PIERCE,
"Village President.
"JOHN W. SCHUTTS,
"Village Trustee."

A report in the matter was made by a civil engineer employed by the Board, and is as follows:

"ALBANY, N. Y., *November 21, 1906.*

"To the Board of Railroad Commissioners:

"GENTLEMEN: Referring to the Lake avenue crossing of the Terminal Railroad of Buffalo where it is proposed to make two undergrade crossings, each of two tracks, one on each side of the five tracks of the Lake Shore & Michigan Southern Railroad, and in which matter there is a statement from the village in which it consents to the making of these crossings provided they are each 150 feet from the Lake Shore & Michigan Southern Railroad Company's right of way line, I beg to report that in my opinion a compliance with the town board's recommendation will be impracticable. The tracks in this vicinity run nearly north and south. On the west side of the Lake Shore crossing is the Buffalo & Susquehanna Railroad, and an abutment by means of which it is to be carried over Lake avenue is now being constructed, this abutment being within at least 80 feet of the present tracks, so that if the Terminal Railroad tracks which are proposed to be laid between the Buffalo & Susquehanna and the Lake Shore tracks are to be moved 150 feet away from the Lake Shore tracks, they must of necessity cross the Buffalo & Susquehanna somewhere south of the crossing. This would be entirely impracticable.

"To the east of the Lake Shore tracks the Terminal Railroad tracks, as planned roughly, parallel the Lake Shore, and at a point about 500 feet from the crossing curve to the east on a 7-degree curve. The tracks as planned are about 25 feet from the Lake Shore right of way. Should they be moved 150 feet away two reverse curves would necessarily be introduced and these of course are inadvisable from an operating point of view. It is proposed by the railroad companies to maintain a gateman at the Lake Shore crossing, and, if required by your Board or by the village, to put in such other safeguards as may be required. A reference to the plan dated June 29, 1906, will materially assist in understanding the situation at this point."

There now exists four tracks of the Lake Shore company across these streets at grade. The abutments of the structures to carry the applicants' railroad on each side of the Lake Shore will on the east side join the right of way line of the Lake Shore and on the west side will be contiguous to said right of way line. The reason the village asks that at Lakeview avenue the overcrossing by the applicants' railroad shall be 150 ft. away from the Lake Shore right of way line is: that it believes that the structures to carry the applicants' railroad will obstruct the view of approaching trains on the Lake Shore railroad. While this may be true to some extent, it will be seen from the report of our engineer that it is impracticable to give the 150 ft. distance. The Lake Shore crossing will be protected by gates. Under the circumstances, this Board does not deem that it would be justified in determining that at the Lakeview avenue crossing the structures to carry the applicants' railroad should be at least 150 ft. from the Lake Shore right of way.

This Board hereby determines, under section 60 of the Railroad Law, that four tracks of The Terminal Railway of Buffalo proposed to be constructed in the village of Blasdell (in which village The Terminal Railway of Buffalo is operated by The New York Central and Hudson River Railroad Company), shall cross Lakeview avenue over the grade of said avenue on overhead bridges, and shall cross the Mile Strip road in said village at the grade of said Mile Strip road, on condition that an arrangement shall be entered into by the applicant companies so that gates shall be erected and continuously operated, to protect persons on Lakeview avenue proposing to cross the Lake Shore and Michigan Southern railway, and on condition that gates be erected and continuously operated by the applicant companies at the Mile Strip road crossing.

[Grade Crossing Case No. 628] V *January 9, 1907.*

In the matter of the Applications of the GREENWICH AND JOHNSONVILLE RAILWAY COMPANY for Modifications of the Determination of this Board, dated October 17, 1906, in the application of said company, under section 60 of the Railroad Law, as to a single track branch railroad to be constructed by it crossing streets and highways in Washington county.

Appearances:

I. C. Blandy, president, and Herbert Van Kirk, counsel, for the applicant.

T. S. Fagan for Jesse V. Palmer and W. B. Palmer, property owners.

These applications (two petitions) by the Greenwich and Johnsonville Railway Company, under section 60 of the Railroad Law, were filed with this Board November 24, 1906. They ask the Board to modify its determination of October 17, 1906, in the matter of the application of said company, under section 60 of the Railroad Law, as to a single track branch railroad to be constructed by said company in Washington county crossing streets and highways in the village of Greenwich and in the towns of Easton, Jackson, and Salem. The first petition, which was verified November 23, 1906, asks for a modification of the determination as to crossing No. 1 in the village of Greenwich, Main street extension. The second petition, which was verified November 24, 1906, asks for a modification of the determination in relation to crossing No. 6, known as the Jackson-Battenville highway in the town of Jackson; crossings Nos. 10 and 11 in the town of Jackson, and crossings Nos. 14 and 15 in the town of Jackson.

In the determination of October 17th, this Board did not determine the manner of crossing at crossings Nos. 16 and 17, and another public hearing as to crossings Nos. 16 and 17 was held before this Board in the city of Albany on November 9, 1906.

Public hearings on the applications for modification referred to above were held by this Board in the city of Albany on November 22 and December 4, 1906. On November 22d the hearing did not proceed, as the applicant had not filed the petitions for modification referred to above. On December 4th the hearing did proceed, and after hearing evidence and arguments, the evidence was closed, but the matter was held open.

After consideration of the evidence, this Board is convinced that it should modify its determination of October 17, 1906, in the particulars hereinafter stated.

This Board, therefore, under section 60 of the Railroad Law, hereby modifies its determination in this matter, dated October 17, 1906, in relation to crossings Nos. 1, 6, 10, 11, 14 and 15, and hereby determines the manner of said single track railroad crossing at crossings Nos. 16 and 17 (not determined on October 17th) as hereinafter set forth, to wit: That the manner in which the single track branch railroad of the Greenwich and Johnsonville Railway Company, to be constructed from the village of Greenwich to the town of Salem in Washington county, shall cross the following streets and highways in the village of Greenwich and in the town of Jackson, Washington county, shall be as follows; this Board also hereby determines, under section 60 of the Railroad Law, that changes in and abandonment of pieces of highway shall be made as hereinafter set forth; this Board also hereby determines, under section 60 of the Railroad Law, that where proposed crossings hereinafter stated are to be at grade it is impracticable that they should be otherwise than at grade:

VILLAGE OF GREENWICH.

1. The street known as Main street extension: The railroad shall be carried over this street on a steel structure within the present lines of the street. The width of this undercrossing shall be thirty-eight ft. The clearance from the surface of the street to the lowest part of structure carrying the railroad shall be ten ft. The structure may be supported by steel posts to be located on the curb line. The present surface of the street shall be lowered four and one-half ft. at points of undercrossing.

TOWN OF JACKSON.

6. The highway known as the Jackson-Battenville highway: The railroad shall cross the highway at the grade of the highway, at the present location of the highway.

10 and 11. The railroad shall cross each of these highways at the grade of the highways, at the present location of the highways.

14 and 15. The highway known as the East Greenwich highway: These crossings shall be combined, and made one crossing at No. 14 by the construction of a new piece of highway between Nos. 14 and 15, and the railroad shall cross the highway at No. 14 at the grade of the highway, at the present location of the highway.

16 and 17. Changes in and abandonment of pieces of highway shall be made so as to avoid crossings at these two points.

This Board also hereby determines, under section 60 of the Railroad Law, in relation to crossing No. 3, mentioned in the said determination of October 17, 1906, which is the street known as Eddy street in the village of Greenwich, and where the railroad is to be carried over the street, that the width of the undercrossing named, to wit, forty-eight ft., shall be measured along the line of the railroad.

[Case No. 2587] VI *January 9, 1907.*

In the matter of the Application of the WEST SIDE RAILROAD of Elmira, Leased to and Operated by the Elmira Water, Light and Railroad Company, as to crossing the Delaware, Lackawanna and Western Railroad at Fourteenth street in the village of Elmira Heights.

This application was filed with the former Board of Railroad Commissioners November 27, 1901. It was dependent upon a petition which was pending as to the elimination of highway grade crossings of the railroad, and which was not followed up. Therefore, this case was closed.

[Case No. 3340] VII *January 9, 1907.*

In the matter of the Protection at a Crossing at Grade of the Erie Railroad by the WALLKILL TRANSIT COMPANY'S RAILROAD in North street, Middletown.

The former Board of Railroad Commissioners recommended to the Wallkill Transit Company that this crossing be protected. New crossing frogs, derailing switches in the transit company's track on each side of the Erie railroad, and about sixty feet therefrom on each side, and a metal trough on the transit company's trolley wire, have been installed. The derailing switches are operated from the Erie tower at the crossing, on signal from the conductor of a car who has gone on the Erie track to see that nothing is approaching. The transit company has a single track and the Erie has four tracks at this crossing.

[Grade Crossing Case No. 540] VIII *January 9, 1907.*

In the matter of the Application of the VILLAGE OF CANTON for a modification of the determination of this Board, dated August 24, 1905, in the application of said village, under section 61 of the Railroad Law, as to Pleasant street in said village crossing the Rome, Watertown and Ogdensburg railroad, leased to and operated by The New York Central and Hudson River Railroad Company, over, under, or at the grade of said railroad.

On August 24, 1905, this Board determined, under section 61 of the Railroad Law, that a new street in the village of Canton, to be known as Pleasant street, and connecting Main and Judson streets, should cross the Rome, Watertown and Ogdensburg railroad, leased to and operated by The New York Central and Hudson River Railroad Company, above the grade of said railroad. At the hearing, George H. Walker, appearing for The New York Central and Hudson River Railroad Company, opposed a crossing at grade. On October 29, 1906, there was filed with this Board by the village an application for a re-hearing and re-determination in said matter; and a hearing on said application was held by this Board in the city of Albany on January 8, 1907, at which Lawrence Russell appeared for the applicant, and Thomas Spratt appeared for The New York Central and Hudson River Railroad Company, not in opposition to a crossing at grade. After hearing arguments the hearing was closed, but the matter was held open. From the statements at this hearing as to the desirability of a crossing at this point to accommodate the public; and that this crossing if made would relieve the adjoining crossing, Harrison street, which is now at grade, of considerable travel; and the unlikelihood of the village constructing an overhead crossing at this point; and in view of the withdrawal of the opposition of the railroad company, this Board believes it is justified in modifying its said determination of August 24, 1905, so that this crossing may be made at grade.

This Board, therefore, hereby modifies its said determination of August 24, 1905, under section 61 of the Railroad Law, in the matter of the application of the village of Canton as to Pleasant street crossing the Rome, Watertown and Ogdensburg railroad, leased to and operated by The New York Central and Hudson River Railroad Company, so that the determination now and hereby is, that said Pleasant street, connecting Main and Judson streets in the village of Canton, shall cross the Rome, Watertown and Ogdensburg railroad, leased to and operated by The New York Central and Hudson River Railroad Company, at the grade of said railroad instead of above the grade of said railroad.

[Case No. 3944] IX *March 5, 1907.*

In the matter of the Application of the SYRACUSE, LAKE SHORE AND NORTHERN RAILROAD COMPANY, under section 68 of the Railroad Law, as to its street surface railroad crossing the steam railroad operated by The Delaware, Lackawanna and Western Railroad Company at two points.

This application, under section 68 of the Railroad Law, by the Syracuse, Lake Shore and Northern Railroad Company, was filed with this Board February 19, 1907. It asks this Board to determine whether the single or double track street surface railroad of the applicant company shall cross the steam railroad operated by The Delaware, Lackawanna and Western Railroad Company at two points, above, below, or at the grade of said steam railroad, and to determine the proportion of expense of such crossings to be paid by each railroad company; the two points being as follows:

1. A short distance north of the present crossing of said steam railroad by said street surface railroad near Stiles station, in the town of Geddes, Onondaga county.

2. A short distance north of the village of Baldwinsville, in the town of Lysander, Onondaga county.

There were presented to this Board agreements between the applicant company and The Delaware, Lackawanna and Western Railroad Company, that the single or double track street surface railroad of the applicant company should cross the steam railroad at said points on overhead bridges. On March 5, 1907, William Nottingham, attorney for the applicant, appeared before this Board in this matter. No notice of hearing was given to the steam railroad company because of said agreements.

This Board hereby determines, under section 68 of the Railroad Law, that the single or double track street surface railroad of the Syracuse, Lake Shore and Northern Railroad Company shall cross the steam railroad operated by The Delaware, Lackawanna and Western Railroad Company at two points hereinafter named above the grade of said steam railroad, the two points being as follows:

1. A short distance north of the present crossing of said steam railroad by said street surface railroad near Stiles station, in the town of Geddes, Onondaga county.

2. A short distance north of the village of Baldwinsville, in the town of Lysander, Onondaga county.

This Board also hereby determines, under section 68 of the Railroad Law, that the proportion of expense of such crossings to be paid by each of said companies shall be as set forth in said agreements; the one in relation to the crossing near Stiles station being dated September 26, 1906, and the one in relation to the crossing in the town of Lysander being dated January 15, 1907.

[Case No. 3633] X *March 5, 1907.*

In the matter of the Application of the ROCHESTER, SYRACUSE AND EASTERN RAILROAD COMPANY, under section 68 of the Railroad Law, as to its double track railroad crossing the New York Central and Hudson River railroad (steam) at a point east of Savannah.

This application by the Rochester, Syracuse and Eastern Railroad Company, under section 68 of the Railroad Law, was filed with this Board July 7, 1906. It asks this Board to determine whether the double track street surface railroad of the applicant company shall cross the New York Central and Hudson River railroad (steam) at a point east of Savannah, above, below, or at the grade of said steam railroad, and to determine the proportion of expense of such crossing to be paid by each railroad company. There was presented to this Board a copy of an agreement between the applicant company and The New York Central and Hudson River Railroad Company, that the applicant company's railroad should cross the New York Central and Hudson River railroad at said point on an overhead bridge. On March 5, 1907, William Nottingham, attorney for the applicant, appeared before this Board in this matter. No notice of hearing was given to the steam railroad company because of said agreement.

This Board hereby determines, under section 68 of the Railroad Law, that the double track street surface railroad of the Rochester, Syracuse and Eastern Railroad Company shall cross the New York Central and Hudson River railroad (steam) at a point east of Savannah, above the grade of said steam railroad. This Board also hereby determines, under section 68 of the Railroad Law, that the proportion of expense of such crossing to be paid by the applicant company and The New York Central and Hudson River Railroad Company shall be as set forth in said agreement, which is dated December 22, 1906.

[Case No. 3634] XI *March 5, 1907.*

In the matter of the Application of the ROCHESTER, SYRACUSE AND EASTERN RAILROAD COMPANY, under section 68 of the Railroad Law, as to its double track railroad crossing the West Shore railroad (steam), leased to and operated by The New York Central and Hudson River Railroad Company, at a point east of Savannah.

This application by the Rochester, Syracuse and Eastern Railroad Company, under section 68 of the Railroad Law, was filed with this Board July 7, 1906. It asks this Board to determine whether the double track street surface railroad of the applicant company shall cross the West Shore railroad (steam), leased to and operated by The New York Central and Hudson River Railroad Company, at a point east of Savannah, above, below, or at the grade of said steam railroad, and to determine the proportion of expense of such crossing to be paid by each railroad company. There was presented to this Board a copy of an agreement between the applicant company and The New York Central and Hudson River Railroad Company, that the applicant company's railroad should cross the West Shore railroad at said point on an overhead bridge. On March 5, 1907, William Nottingham, attorney for the applicant, appeared before this Board in this matter. No notice of hearing was given to the steam railroad company because of said agreement.

This Board hereby determines, under section 68 of the Railroad Law, that the double track street surface railroad of the Rochester, Syracuse and Eastern Railroad Company shall cross the West Shore railroad (steam), leased to and operated by The New York Central and Hudson River Railroad Company, at a point east of Savannah, above the grade of said steam railroad. This Board also hereby determines, under section 68 of the Railroad Law, that the proportion of expense of such crossing to be paid by the applicant company and The New York Central and Hudson River Railroad Company, lessee, shall be as set forth in said agreement, which is dated December 22, 1906.

[Case No. 3823] XII *March 6, 1907.*

In the matter of the Application of the WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY, under section 68 of the Railroad Law, as to its single track street surface railroad crossing a switch used jointly by the Pennsylvania railroad, the Pittsburgh, Shawmut and Northern railroad, and the Western New York and Pennsylvania railway (leased to and operated by the Pennsylvania Railroad Company), in South Union street in the city of Olean.

On January 3, 1907, this Board determined, under section 68 of the Railroad Law, that the single track railroad of the Western New York & Pennsylvania Traction Company shall cross a switch in South Union street in the city of Olean, used jointly by the Pennsylvania railroad, the Pittsburgh, Shawmut and Northern railroad, and the Western New York and Pennsylvania railway (leased to and operated by the Pennsylvania Railroad Company), at the grade of said switch. In said determination this Board determined, under section 68 of the Railroad Law, that the entire expense of such crossing shall be borne by the Western New York and Pennsylvania Traction Company. Under date of January 19, 1907, the applicant company called the attention of this Board to the fact that in the franchise for this switch received from the city of Olean, it is provided that this applicant company shall bear one-half the expense of said crossing and the said steam railroads shall bear the other half of the expense of said crossing. In a letter, dated February 18, 1907, the Pennsylvania Railroad Company consented to a modification of the

determination of this Board of January 3d, to this effect; and in a letter, dated March 4, 1907, the Pittsburgh, Shawmut and Northern Railroad Company also so consented. Under these circumstances, this Board hereby determines, under section 68 of the Railroad Law, that the determination of this Board of January 3, 1907, in this matter, shall be so modified that the expense of this crossing shall be borne, one-half by the Western New York and Pennsylvania Traction Company, and the other half by the Pennsylvania Railroad Company and the Pittsburgh, Shawmut and Northern Railroad Company.

[Case No. 3303] XIII *March 22, 1907.*

In the matter of a Determination of this Board, under section 68 of the Railroad Law, dated June 20, 1905, and Supplemental Determination, dated July 6, 1905, as to the LONG ISLAND ELECTRIC RAILWAY (street surface) crossing the Long Island railroad (steam) at a point where the Long Island railroad crosses at grade the Jamaica and Hempstead turnpike highway east of Queens, borough of Queens, New York city.

On June 20, 1905, this Board determined, under section 68 of the Railroad Law, that the single track railroad of the Long Island Electric railway should, for a limited period, to wit, until the first day of June, 1907, cross at grade three tracks of the Long Island railroad at a point where the Long Island railroad crosses at grade the Jamaica and Hempstead turnpike highway east (west) of Queens, borough of Queens, New York city. This crossing has been constructed at grade. On July 6, 1905, this Board approved V-shaped brass trough to be constructed on the trolley wire of the Long Island Electric Railway Company at this crossing. On March 18, 1907, there was filed with this Board a petition from the Long Island Electric Railway Company asking that the said crossing be permitted at grade for a further period of six months from June 1, 1907; said petition stating that plans are under way for the permanent separation of the railroad and turnpike grades at this point. A hearing in this matter was given by this Board at its office in the Capitol, Albany, March 22, 1907, at which Van Vechten Veeder appeared for the Long Island Electric Railway Company, and C. L. Addison appeared for the Long Island Railroad Company; the petitioner asking at this hearing that the period of time for the existence of the crossing at grade be extended for one year instead of six months.

Under the circumstances, this Board believes that it can properly determine that this crossing at grade may be continued for one year from June 1, 1907.

This Board, therefore, hereby consents, under section 68 of the Railroad Law, that the single track railroad of the Long Island Electric Railway Company shall continue to temporarily cross at grade three tracks of the Long Island railroad at a point where the Long Island railroad crosses at grade the Jamaica and Hempstead turnpike highway east (west) of Queens, borough of Queens, New York city, for a further period of one year from June 1, 1907, to wit, until June 1, 1908.

[Case No. 2981] XIV *March 22, 1907.*

In the matter of the Application of THE NEW YORK AND LONG ISLAND TRACTION COMPANY for approval of plans for a bridge at Mineola.

On December 2, 1903, this Board determined, under section 68 of the Railroad Law, that the single track electric railroad of The New York and Long Island Traction Company should cross the Long Island railroad (steam) at four points, above the grade of said steam railroad, one of the points being

on Franklin street, Mineola, near the station of the steam railroad company. This bridge has not yet been constructed. On March 18, 1907, there was filed with this Board a petition by The New York and Long Island Traction Company asking this Board to approve blue-print plans for said bridge. A hearing on said application was given by the Board at its office in Albany, March 22, 1907, at which Van Vechten Veeder appeared for the applicant company, and C. L. Addison appeared for the Long Island Railroad Company. A report as to the plans, dated April 1, 1907, was made by an engineer employed by this Board. There is no provision of statute under which this Board is called upon to approve plans for this crossing. However, as the report of our engineer is to the effect that the bridge is a proper bridge for the purpose intended, said plans (two blue-prints) are hereby approved by this Board, and said blue-prints are attached to the office original of this determination on file in this office.

[Grade Crossing Case No. 666] XV *March 22, 1907.*

In the matter of the Application of the BOSTON AND MAINE RAILROAD, under section 60 of the Railroad Law, for a determination as to how a second track of its railroad shall cross streets, avenues, or highways in the county of Rensselaer.

This application by the Boston and Maine railroad, under section 60 of the Railroad Law, was filed with this Board March 11, 1907. The applicant asks the Board to determine the manner in which a second track of its railroad, to be constructed between Johnsonville and Troy, shall cross the following streets, avenues, or highways in the town of Pittstown, village of Valley Falls, town of Schaghticoke, and city of Troy all in Rensselaer county, to wit:

TOWN OF PITTSTOWN.

1. The highway about 900 ft. westerly from the Johnsonville passenger station and marked No. 2 on plans accompanying the petition.

1a. The highway at a point known as the Brundage crossing, about 4,900 ft. west of the Johnsonville passenger station.

1b. The highway at a point known as the Atwood crossing, about 6,200 ft. west of the Johnsonville passenger station.

2. The highway known as Lyon street, about 200 ft. easterly from the Valley Falls passenger station, and marked No. 3 on plans accompanying the petition.

3. The highway known as Main street, about 1,300 ft. westerly from the Valley Falls passenger station, and marked No. 4 on plans accompanying the petition.

TOWN OF SCHAGHTICOKE.

4. The highway known as the road to Bankers, about 200 ft. westerly of the East Schaghticoke passenger station, and marked No. 5 on plans accompanying the petition.

5. The highway known as the road to Schaghticoke Hill, distant westerly about 6,400 ft. from the passenger station at East Schaghticoke, and marked No. 6 on plans accompanying the petition.

6. The highway about 11,600 ft. westerly from the East Schaghticoke passenger station and marked No. 7 on plans accompanying the petition.

7. The highway known as Doty's upper crossing, about 1,200 ft. easterly of the Melrose passenger station, and marked No. 8 on plans accompanying the petition.

8. The highway known as Doty's lower crossing, about 400 ft. easterly from the Melrose passenger station, and marked No. 9 on plans accompanying the petition.

9. The highway known as Weatherwax bridge, about 6,500 ft. westerly of the Melrose passenger station, and marked No. 10 on plans accompanying the petition.

10. The highway about 9,400 ft. westerly from the Melrose passenger station and marked No. 11 on plans accompanying the petition.

11. The highway known as road to Speigletown, about 13,500 ft. westerly of the Melrose passenger station, and marked No. 12 on plans accompanying the petition.

12. The highway known as Mooney's crossing, about 14,100 ft. westerly of the Melrose passenger station, and marked No. 13 on plans accompanying the petition.

13. The highway known as Campbell's crossing, about 17,200 ft. westerly of the Melrose passenger station, and marked No. 14 on plans accompanying the petition.

CITY OF TROY.

14. The highway known as the Plank road, distant easterly about 4,900 ft. from the Lansingburgh passenger station, and marked No. 15 on plans accompanying the petition.

15. The highway known as Tarbell's crossing, distant easterly about 1,600 ft. from the Lansingburgh passenger station, and marked No. 16 on plans accompanying the petition.

16. The highway known as Ingalls avenue and marked No. 18 on plans accompanying the petition.

17. The highway known as Middleburg street and marked No. 19 on plans accompanying the petition.

A public hearing in this matter, after notice as required by the statute, was held in the city of Albany March 22, 1907. J. P. O'Brien appeared for the applicant; Alexander S. Diver appeared for the towns of Pittstown and Schaghticoke; Elmer E. Hayner, supervisor, also appeared for the town of Pittstown; Byron Center and James Thompson appeared for the village of Valley Falls; Edward R. Cary, C. E., appeared for the city of Troy. At this hearing it appeared that two crossings not named in the petition were to be made, and these crossings are numbered 1a and 1b in this determination. Inasmuch, however, as those appearing did not object that the matter of these two crossings should be determined, it is so determined hereinafter.

With this petition, under section 60 of the Railroad Law, there was filed by the company a petition under section 62 of the Railroad Law, that all of the crossings at grade of its railroad by streets and highways between Johnsonville and Troy may be changed from grade, and this petition is now pending before this Board. There is not now money available to pay the State's proportion of the cost of elimination of grade crossings of steam railroads under section 62.

Growing out of an accident on this company's railroad at Lansingburgh, October 4, 1906, this Board, on October 11, 1906, recommended to the Boston and Maine railroad that the Troy branch of its railroad, from Johnsonville to Troy, be double tracked.

After careful consideration, this Board hereby determines, under section 60 of the Railroad Law, that it would be impracticable for the said second track of the Boston and Maine railroad to cross otherwise than at grade the streets and highways hereinafter named, except where a method of crossing otherwise than at grade is named, and in such cases this Board hereby determines that said second track shall cross such streets and highways over or under the street or highway as hereinafter set forth, to wit:

TOWN OF PITTSTOWN.

1. At grade the highway about 900 ft. westerly from the Johnsonville passenger station and marked No. 2 on plans accompanying the petition.

1a. At grade the highway at a point known as the Brundage crossing, about 4,900 feet west of the Johnsonville passenger station.

1b. At grade the highway at a point known as the Atwood crossing, about 6,200 ft. west of the Johnsonville passenger station.

2. At grade the highway known as Lyon street, about 200 ft. easterly from the Valley Falls passenger station, and marked No. 3 on plans accompanying the petition.

3. At grade the highway known at Main street, about 1,300 ft. westerly from the Valley Falls passenger station, and marked No. 4 on plans accompanying the petition.

TOWN OF SCHAGHTICOKE.

4. At grade the highway known as the road to Bankers, about 200 ft. westerly of the East Schaghticoke passenger station, and marked No. 5 on plans accompanying the petition.

5. At grade the highway known as the road to Schaghticoke Hill, distant westerly about 6,400 ft. from the passenger station at East Schaghticoke, and marked No. 6 on plans accompanying the petition.

6. Under the grade of the highway about 11,600 ft. westerly from the East Schaghticoke passenger station and marked No. 7 on plans accompanying the petition. The existing track now crosses in the same manner.

7. Above the grade of the highway known as Doty's upper crossing, about 1,200 feet easterly of the Melrose passenger station, and marked No. 8 on plans accompanying the petition. The existing track now crosses in the same manner.

8. At grade the highway known as Doty's lower crossing, about 400 ft. easterly from the Melrose passenger station, and marked No. 9 on plans accompanying the petition.

9. Under the grade of the highway known as Weatherwax bridge, about 6,500 ft. westerly of the Melrose passenger station, and marked No. 10 on plans accompanying the petition. The existing track now crosses in the same manner.

10. At grade the highway about 9,400 ft. westerly from the Melrose passenger station, and marked No. 11 on plans accompanying the petition.

11. At grade the highway known as road to Speigletown, about 13,500 ft. westerly of the Melrose passenger station, and marked No. 12 on plans accompanying the petition.

12. At grade the highway known as Mooney's crossing, about 14,100 ft. westerly of the Melrose passenger station, and marked No. 13 on plans accompanying the petition.

13. At grade the highway known as Campbell's crossing, about 17,200 ft. westerly of the Melrose passenger station, and marked No. 14 on plans accompanying the petition.

CITY OF TROY.

14. Above the grade of the highway known as the Plank road, distant easterly about 4,900 ft. from the Lansingburgh passenger station, and marked No. 15 on plans accompanying the petition. The existing track now crosses in the same manner.

15. At grade the highway known as Tarbell's crossing, distant easterly about 1,600 ft. from the Lansingburgh passenger station, and marked No. 16 on plans accompanying the petition.

16. At grade the highway known as Ingalls avenue and marked No. 18 on plans accompanying the petition.

17. At grade the highway known as Middleburgh street and marked No. 19 on plans accompanying the petition.

In the points of the compass given above, it is assumed that the railroad runs in a westerly direction from Johnsonville to Troy.

[Case No. 2677] XVI *March 25, 1907.*

In the matter of the Application of the CORTLAND COUNTY TRACTION COMPANY (street surface, electric), under section 68 of the Railroad Law, as to its railroad crossing the Syracuse, Binghamton and New York railroad at Elm street in the city of Cortland.

See page 147, first volume, 1906 report of Railroad Commissioners. The metal trough referred to has been constructed on the trolley wire at this crossing.

[Case No. 3999] XVII *April 10, 1907.*

In the matter of the Application of the BUFFALO AND SUSQUEHANNA RAILWAY COMPANY, under section 68 of the Railroad Law, as to its railroad crossing other steam railroads at various points.

This application by the Buffalo and Susquehanna Railway Company, under section 68 of the Railroad Law, was filed with this Board March 28, 1907. It asks this Board to determine the manner in which the applicant's railroad shall cross other steam railroads at ten different points in various counties, and to determine the proportion of expense of each crossing to be paid by each railroad company. Attached to the petition are copies of agreements as to these crossings between the applicant company and each of the other companies, which agreements state exactly the points of crossing. None of the crossings is to be at grade. A public hearing on this application was given by this Board in the city of Buffalo on April 10, 1907. Walter P. Cooke appeared for the applicant; Hoyt & Spratt and H. M. North appeared for The Lake Shore and Michigan Southern Railway Company; Levant D. Lester appeared for the village of Blasdell; John W. Fisher appeared for the town of West Seneca, Erie county. After hearing arguments the hearing was closed.

This Board hereby determines, under section 68 of the Railroad Law, that the railroad of the Buffalo and Susquehanna Railway Company shall cross various steam railroads hereinafter named, at points hereinafter named, and in the manner hereinafter named, to wit:

1. Above the grade of the Pittsburgh, Shawmut and Northern railroad at a point near Belvidere, Allegany county.
2. Above the grade of the Erie railroad near Hamburg, Erie county.
3. Above the grade of the Erie railroad near Belvidere, Allegany county.
4. Above the grade of the Buffalo, Rochester and Pittsburgh railway at a point in the town of Concord, Erie county.
5. Above the grade of the Buffalo, Rochester and Pittsburgh railway at a point in the town of Freedom, Cattaraugus county.
6. Above the grade of the New York, Chicago and St. Louis railroad at a point in the town of Hamburg, Erie county.
7. Above the grade of the Lake Shore and Michigan Southern railway near Blasdell, Erie county.
8. Below the grade of the Western New York and Pennsylvania railway (leased to and operated by the Pennsylvania Railroad Company) at a point in the town of Arcade, Wyoming county.
9. Above the grade of the Western New York and Pennsylvania railway (leased to and operated by the Pennsylvania Railroad Company) at a point in the town of Belfast, Allegany county.
10. Above the grade of the Western New York and Pennsylvania railway (leased to and operated by the Pennsylvania Railroad Company) near Blasdell, Erie county.

This Board also hereby determines, under section 68 of the Railroad Law, that the proportion of expense of such crossings to be paid by the applicant company and the other companies whose railroads are to be crossed by the applicant's railroad, shall be as set forth in the agreements, copies of which are attached to the petition in this matter.

[Case No. 4003] XVIII *April 16, 1907.*

In the matter of a crossing at grade of the New York Central and Hudson River Railroad, the ROCHESTER AND EASTERN RAPID RAILWAY (street surface, electric) in Main street, Canandaigua.

The former Board of Railroad Commissioners recommended to the electric railroad company that the derailing switches in its track at this crossing which were not in operation, be put in operation; also that a metal trough be constructed on the trolley wire. These recommendations were complied with.

[Grade Crossing Case No. 618] XIX *April 16, 1907.*

In the matter of the Petition of the ERIE RAILROAD COMPANY, under section 62 of the Railroad Law, as to the River Bridge highway grade crossing of its railroad in the village of Wellsburg.

This petition by the Erie Railroad Company, under section 62 of the Railroad Law, was filed with this Board July 31, 1906. It alleges that public safety requires an alteration in the manner in which the highway that exists between the village of Wellsburg and the hamlet of Lowman crosses said company's railroad at a point known as the River Bridge crossing in the village of Wellsburg, and asks this Board to determine that said crossing which is now at grade shall be changed so that said highway shall cross said railroad on an overhead bridge, one of the approaches to said proposed overcrossing to be in the town of Ashland, Chemung county. Public hearings on this petition, after notice as required by the statute, were held before Commossioner Baker, by delegation of the Board, in Wellsburg on August 17th and September 14th. Reynolds, Stanchfield & Collin appeared for the petitioner; Knipp, Aldridge & Losie appeared for the town of Ashland and for Louis Bach, a property owner, in opposition; Seymour Lowman, a property owner, appeared in person, and also for Louis J. West, a property owner, in opposition; A. C. Wright appeared for the Chemung Valley Condensing Company, in opposition; Boyd McDowell appeared for the village of Wellsburg and for Amos Merriam, highway commissioner, town of Ashland, in opposition. At the hearing on September 14th, the evidence was closed, but the matter was held open. Subsequently, the village of Wellsburg applied to the Board to re-open the evidence, and a hearing on said application to re-open the evidence was held in Albany on November 22d, at which time the Board reserved decision on the application to re-open the evidence.

After consideration of the circumstances in this case, the Board has determined to deny the prayer of this petition. It is, therefore, hereby denied, and the application dismissed. This denial is without prejudice to the filing with this Board in the future of a petition from the town or from the company, under section 62 of the Railroad Law, as to this crossing.

[Case No. 4020] XX *April 30, 1907.*

In the matter of the Application of the LEHIGH AND LAKE ERIE RAILROAD COMPANY, under section 68 of the Railroad Law, as to its railroad and the railroad of the Western New York and Pennsylvania Railwry Company crossing on an overhead bridge the Erie railroad in the town of West Seneca, Erie county.

This application by the Lehigh and Lake Erie Railroad Company, under section 68 of the Railroad Law, was filed with this Board April 15, 1907. It asks this Board to determine the manner in which the applicant's railroad and the Western New York and Pennsylvania railway (leased to and operated by the Pennsylvania Railroad Company) shall cross the Erie railroad at a point in the town of West Seneca, Erie county, and to determine the proportion of expense of such crossing to be paid by each railroad company. A public hearing on this application was given by this Board in the city of Albany on April 30, 1907. John W. Allen appeared for the applicant; no one else appeared. After hearing arguments, the hearing was closed. Attached to the petition in this matter is a copy of an agreement between the companies named that the crossing in question shall be an overhead bridge crossing. The Western New York and Pennsylvania railway is parallel with and immediately next to the Lehigh and Lake Erie railroad at the point in question, and while said company has not joined in this petition, it is joined in the agreement; and this determination for an overhead bridge cross-

ing can be made as to its railway as well as to the railroad of the Lehigh and Lake Erie Railroad Company.

This Board hereby determines, under section 68 of the Railroad Law, that the railroad of the Lehigh and Lake Erie Railroad Company, and the railroad of the Western New York and Pennsylvania Railway Company (leased to and operated by the Pennsylvania Railroad Company), shall cross the Erie railroad in the town of West Seneca, Erie county, above the grade of said Erie railroad on an overhead bridge, the exact point of crossing being set forth in said agreement.

This Board also hereby determines, under section 68 of the Railroad Law, that the proportion of expense of such crossing to be paid by the Lehigh and Lake Erie Railroad Company, the Western New York and Pennsylvania Railway Company or its lessee, the Pennsylvania Railroad Company, and the Erie Railroad Company, shall be as set forth in said agreement.

[Case No. 4019] XXI *April 30, 1907.*

In the matter of the Application of the LEHIGH AND LAKE ERIE RAILROAD COMPANY, under section 68 of the Railroad Law, as to its railroad crossing other steam railroads at three points in the town of West Seneca, Erie county, and for approval of an interlocking switch and signal apparatus.

This application by the Lehigh and Lake Erie Railroad Company, under section 68 of the Railroad Law, was filed with this Board April 15, 1907. It asks this Board to determine the manner in which the applicant's railroad shall cross other steam railroads at three points in the town of West Seneca, Erie county, and to determine the proportion of expense of each crossing to be paid by each railroad company. Attached to the petition are copies of agreements between the applicant company and the other companies as to these crossings. The proposed crossings are as follows:

1. The Buffalo, Rochester and Pittsburgh railway, it being proposed that the applicant's railroad shall cross here in an undercrossing.

2. A connecting piece of railroad between the Buffalo, Rochester and Pittsburgh railway and The Terminal Railway of Buffalo, which connecting piece of railroad is owned by The Terminal Railway of Buffalo, it being proposed here that four tracks of the applicant's railroad shall cross said piece of connecting railroad at grade.

3. A railroad track known as the Weber track, not now in existence but which was formerly in existence and owned by The Terminal Railway of Buffalo, which may have the right to re-lay it in the future, it being proposed here that four tracks of the applicant's railroad shall cross said Weber track, if laid in the future, at grade.

Near where the applicant's railroad proposes to cross said connecting piece of railroad owned by The Terminal Railway of Buffalo, the Western New York and Pennsylvania railway (leased to and operated by the Pennsylvania Railroad Company) proposes to lay two tracks across said connecting piece of railroad. This application by the Lehigh and Lake Erie Railroad Company also asks, under section 36 of the Railroad Law, for the approval of this Board of an interlocking switch and signal apparatus to be installed at its proposed crossing of this connecting piece of railroad, and at the proposed crossing of this connecting piece of railroad by the Western New York and Pennsylvania railway; the one interlocking plant to protect both crossings. The Western New York and Pennsylvania Railway Company, nor its lessee, the Pennsylvania Railroad Company, is not a party to the petition. The petition states that the applicant company has agreed with The Terminal Railway of Buffalo and the Western New York and Pennsylvania Railway Company in regard to the character of this signal apparatus, a blue-print plan of which and a description of which is attached to the petition. Said interlocking apparatus is to be installed and maintained jointly by the

Lehigh and Lake Erie Railroad Company and the Pennsylvania Railroad Company, lessee, according to a note on the description of the apparatus which is attached to the petition.

A public hearing on this application was held by this Board in the city of Albany on April 30, 1907. Kenefick, Cooke & Mitchell (John W. Allen appearing) appeared for the applicant; L. G. Morphy appeared for The Terminal Railway of Buffalo, not in opposition. After hearing arguments, the hearing was closed.

Under the circumstances as set forth, this Board believes it is justified in determining that the crossings at grade, proposed, may be made.

This Board hereby determines, under section 68 of the Railroad Law, that the railroad of the Lehigh and Lake Erie Railroad Company shall cross the steam railroads hereinafter named, in the town of West Seneca, Erie county, in the manner hereinafter named, to wit:

1. Under the grade of the Buffalo, Rochester and Pittsburgh railway.

2. At grade with four tracks a connecting piece of railroad between the Buffalo, Rochester and Pittsburgh railway and The Terminal Railway of Buffalo, which connecting piece of railroad is owned by The Terminal Railway of Buffalo.

3. At grade with four tracks a railroad track known as the Weber track, not now in existence but which was formerly in existence and owned by The Terminal Railway of Buffalo, which may have the right to re-lay it in the future.

This Board also hereby determines, under section 68 of the Railroad Law, that the proportion of expense of such crossings to be paid by the applicant company and the other companies whose railroads are to be crossed by the applicant's railroad, shall be as set forth in the said agreements, copies of which are attached to the petition in this matter.

This Board, under section 36 of the Railroad Law, hereby approves said interlocking switch and signal apparatus, a description and blue-print plan of which is attached to the petition in this matter, to be installed at said crossing by the Lehigh and Lake Erie railroad, of said connecting piece of railroad; and hereby determines that trains and locomotives on said connecting piece of railroad and on said Lehigh and Lake Erie railroad may, after said interlocking switch and signal apparatus is in operation, cross said crossing without coming to a full stop.

[Grade Crossing Case No. 649] XXII *April 30, 1907.*

In the matter of the Petition of THE TERMINAL RAILWAY OF BUFFALO, under sections 60 and 62 of the Railroad Law, as to its railway crossing highways in the town of Cheektowaga, Erie county.

This application by The Terminal Railway of Buffalo, under sections 60 and 62 of the Railroad Law, was filed with this Board December 1, 1906. The petition alleges:

"Under section 62 of the Railroad Law, that public safety requires changes in the manner in which highways known as the Rowley road, the Lawson road, the Union road, and the French road in the town of Cheektowaga, Erie county, cross The Terminal Railway of Buffalo, and asks this Board to determine what changes in the manner of said crossings shall be made, it being proposed by a map filed with the petition that the Rowley road shall be changed from grade to an overcrossing of the railroad at the present location of the crossing, that the Lawson road shall be changed from grade to an overcrossing of the railroad at the present location of the crossing, that the Union road and the French road crossings shall be closed and discontinued and new pieces of highway and an overcrossing of the railroad (to take the place of these two existing grade crossings), to be located near the present Union road grade crossing, shall be constructed; and the petition asks this Board to so determine; and

"2. Under section 60 of the Railroad Law, the petition asks this Board to determine the manner in which many additional tracks of The Terminal Railway of Buffalo shall cross the Rowley road, the Lawson road, the Union road, and the French road highways as they at present exist, it being proposed (because of the propositions involved under section 62 as to changing these highway grade crossings to overcrossings) that the additional tracks shall cross these highways at grade, and the petition asks that the Board will immediately determine the manner in which six of said additional tracks shall cross said highways."

Public hearings in this matter were held by this Board in New York city on December 12, 1906; in Buffalo on January 3, 23, March 19, and April 10, 1907. The company also filed with this Board on December 1, 1906, a petition, under sections 60 and 62 of the Railroad Law, as to crossings in the town of West Seneca, Erie county, and at the hearings before this Board these two applications were heard together, and on this date this Board makes a separate determination in relation to the crossings in West Seneca. At the hearings, Charles A. Pooley appeared for the applicant; John W. Fisher appeared for the towns of Cheektowaga and West Seneca; W. E. Kisselberg, jr., and W. L. Marcy appeared for the Buffalo Southern railway; Roland Cranglo appeared for property owners in the towns of Cheektowaga and West Seneca. At the hearing on January 3d Mr. Pooley stated that the applicant would bear the entire expense of changes under these applications, and withdrew those parts of the applications under section 62. Mr. Fisher, for the towns of Cheektowaga and West Seneca, on December 12th, filed with this Board preliminary objections to the applications as follows:

"1. That this Board has not jurisdiction to grant the petition."

For reasons stated hereinafter, we believe we have jurisdiction.

"2. That this is not a proceeding instituted under section 62 of the Railroad Law to compel the separation of the grades at the several crossings, but is in fact an attempt to compel the State and town to contribute toward the expense of building viaducts over a portion of the proposed yards of the Terminal railway, and that it is the convenience of the company and not public safety that requires a change in the manner in which the said highways shall be crossed by the tracks of said company."

The question of the State and town contributing toward the expense is not now in the case, as hereinabove stated.

"3. That this Board has not power to compel the diversion of highways as proposed in the case of the Union road and the French road crossings in Cheektowaga, and the Mineral Spring road in West Seneca."

We do not agree to this. There is no question of this Board's power, under section 62 of the Railroad Law, to determine what alterations or changes shall be made in the location of a highway or crossing, or the closing and discontinuance of a highway crossing and the diversion of the travel thereon to another highway or crossing. We believe, also, that there is no question under section 60 of the power of the Board to determine changes in location of highways. It seems to us, that when the Legislature made it our duty to determine how new steam railroad tracks shall cross highways, it lodged with us the power as well as the duty to determine that changes in highways necessary to properly carry into effect the new policy of the State should be made. The Legislature undoubtedly considered that there would be cases where it would be impracticable to make the crossing under or over grade without changing the highway, as it considered that there would be cases where it would be impracticable to make the crossing at all otherwise than at grade. There may well be cases where, unless the highway be changed, it would be impracticable for the crossing to be made otherwise than at grade; but in such a case it would not be contended that we would be justified in allowing a grade crossing, when by a change of the highway it could be made under or over grade. A reading of section 11 of the Railroad Law (in relation to the intersection of highways by steam railroads) confirms us in the belief that the Legislature, with that section in mind, meant to provide further state superintendence and direction of changes in highways proposed to be crossed by new steam railroads. That this was the intention of the Legislature in regard to new highways crossing existing steam railroads has been determined by the Court of Appeals (158 N. Y., 410), in its consideration of chapter 62 of the laws of 1853, and section 61 of the Railroad Law. We think the statement of the Court that "The latter act (section 61) radically altered the procedure by which highways are to be carried across railroad tracks, a change of procedure made necessary by the radical change in the public policy of the State looking toward the ultimate abolition of the crossings of highways at grade by the tracks of steam railroads," appropriately applies to section 60. The changes in highways which we hereinafter determine shall be made, are reasonable, practicable, and safe; and should be made.

"4. That the use of the tracks proposed to be laid is for yard purposes only and that this Board is not vested with the power of determining how highways in these towns shall be crossed by railroad tracks intended for use for yard purposes, but that whenever a railroad company desires to construct yards within the limits of a town, the construction of which will require the crossing of highways by a great number of tracks as in this case, then the power to determine the manner of crossing said highways and the matter of alterations and discontinuance of highways and the opening of new highways made necessary thereby is vested in the town board and board of highway commissioners."

We do not agree to this. Under section 11 of the Railroad Law the company does not apply to the town board or highway commissioners for the right to lay additional tracks across these highways, but to the Supreme Court, and the argument above as to section 11 need not be repeated.

We were in some doubt whether the tracks in question are not "additional switches and sidings," as mentioned in section 60, over which we have no jurisdiction, but have concluded they are not. They will extend from Mineral Spring road in the town of West Seneca to Rowley road in the town of Cheektowaga; are three (3) miles long; and in fact are additional main tracks of The Terminal Railway of Buffalo. This railway itself only extends from Depew, east of Buffalo, to Blasdell, west of Buffalo, and in some aspects may be considered a continuous yard, as all terminal railroads may be considered; but in fact its tracks are main tracks, used to transfer freight and, on occasion, passenger trains from the Central railroad to the Lake Shore railroad; and while the freight trains so transferred are stopped at various points and re-handled to a considerable extent, this is what this railroad is for, and thus all of its tracks may properly be called main tracks. "Additional switches and sidings," as used in section 60, undoubtedly means the ordinary switch or siding from main lines to manufactories or other business places. Assuming that this company had all the rights necessary, except the consent of this Board, to lay these additional tracks across these highways at grade, and attempted to so lay them without application to this Board, we believe that action by this Board would result in the courts determining that they were main tracks, and must cross highways in a manner to be determined by this Board.

We have thus discussed at length the various questions raised in this matter by the towns, as such discussion was necessary; but it is apparent that should the matter of these crossings be determined in accordance with a memorandum filed here by Mr. Fisher on the 17th inst., the towns would be practically satisfied. We substantially do so hereinafter determine, with the exception of the width of the bridges. The towns ask for thirty-six ft. width exclusive of sidewalks, except for a width of forty ft. exclusive of sidewalks for the bridge to carry the Union road and French road. We believe, from the evidence, that a width of thirty ft. roadway and a five ft. sidewalk on brackets is all that the towns can reasonably ask.

We also believe, for the reasons stated above, that the Legislature, under section 60, conferred power on this Board to determine what the height, length, material, etc., of the structures at such crossings should be; and we certainly have such authority for changes, made under section 62.

While Mr. Pooley withdrew, on January 3d, that part of the application under section 62, it seems necessary to determine that the existing tracks shall be changed from grade under said section. This we can do in pursuance of our powers under section 66 of the Railroad Law, inasmuch as these hearings were held after proper notice to property owners and local authorities under section 62; and practically the only question raised under section 62 was as to whether the expense of changes under that section should be borne in part by the State and the town, this question being settled by the company stating that it is to bear all the expense.

This Board hereby determines, under section 60 of the Railroad Law:

1. That six additional tracks of The Terminal Railway of Buffalo shall immediately cross the Rowley road, the Lawson road, the Union road, and the French road highways in the town of Cheektowaga, Erie county, at the grade of said highways, and that additional tracks of said railway shall cross the present locations of said highways at grade after the construction of the bridges hereinafter referred to carrying said highways over said railway above grade.

This Board hereby determines, under sections 60 and 62 of the Railroad Law:

a. That the Rowley road highway grade crossing of The Terminal Railway of Buffalo in the town of Cheektowaga, Erie county, shall be changed to an overhead bridge crossing of said railway to be situated at the present location of the crossing; that said overhead bridge shall be of steel, of a width of thirty ft. for roadway and have a five ft. sidewalk on brackets, and be of a length to span the entire right of way of said railway; that the floor of said overhead bridge shall be of asphalt; that the approaches to said overhead bridge shall be on a grade not greater than four per cent., and shall be of a width of thirty-five ft., including roadway and sidewalk; that said approaches shall be macadamized; that said overhead bridge shall be of sufficient strength to carry a street surface railroad car weighing fifty tons loaded; that The Terminal Railway of Buffalo shall maintain the roadway and sidewalk on the said overhead bridge and said approaches thereto, irrespective of the provisions of section 64 of the Railroad Law; that The Terminal Railway of Buffalo shall pay all damages lawfully due adjoining property owners where the approaches to said overhead bridge are erected in front of private property.

b. That the Lawson road highway grade crossing of The Terminal Railway of Buffalo in the town of Cheektowaga, Erie county, shall be changed to an overhead bridge crossing of said railway to be situated at the present location of the crossing; that said overhead bridge shall be of steel, of a width of thirty ft. for roadway and have a five ft. sidewalk on brackets, and be of a length to span the entire right of way of said railway; that the floor of said overhead bridge shall be of asphalt; that the approaches to said overhead bridge shall be on a grade not greater than four per cent., and shall be of a width of thirty-five ft., including roadway and sidewalk; that said approaches shall be macadamized; that said overhead bridge shall be of sufficient strength to carry a street surface railroad car weighing fifty tons loaded; that The Terminal Railway of Buffalo shall maintain the roadway and sidewalk on the said overhead bridge and said approaches thereto, irrespective of the provisions of section 64 of the Railroad Law; that The Terminal Railway of Buffalo shall pay all damages lawfully due adjoining property owners where the approaches to said overhead bridge are erected in front of private property.

c. That the Union road and the French road highway grade crossings of The Terminal Railway of Buffalo in the town of Cheektowaga, Erie county, shall be closed and discontinued, and that new pieces of highway substantially parallel with the tracks, and an overhead bridge crossing of said railway (to take the place of these two existing grade crossings) shall be constructed, the said overhead bridge crossing to be located practically at the intersection of the present Union and French roads grade crossings; that said overhead bridge shall be of steel, of a width of thirty ft. for roadway and have a five ft. sidewalk on brackets, and be of a length to span the entire right of way of said railway; that the floor of said overhead bridge shall be of asphalt; that the approaches to said overhead bridge shall be on a grade not greater than four per cent., and shall be of a width of thirty-five ft., including roadway and sidewalk; that said approaches shall be macadamized; that said overhead bridge shall be of sufficient strength to carry a street surface railroad car weighing fifty tons loaded; that The Terminal Railway of Buffalo shall maintain the roadway and sidewalk on the said overhead bridge and said approaches thereto, irrespective of the provisions of section 64 of the Railroad Law; that The Terminal Railway of Buffalo shall pay all damages lawfully due adjoining property owners where the approaches of said overhead bridge are constructed in front of private property.

This Board also hereby determines, under section 65 of the Railroad Law, that none of the cost of the work or expenses or claims connected therewith under this determination shall be borne by the State or by the town of Cheektowaga, Erie county.

This Board also hereby determines, that whenever any street surface railroad shall be constructed upon any of said bridges and approaches, the company owning or operating such street surface railroad shall thereafter maintain the surface of said bridges and approaches within the rails of said surface railroad and for a width of two feet outside of outer rails.

This Board also hereby determines that said bridges and approaches shall be under the supervision and control of the town authorities of the town of Cheektowaga, who shall give notice to the said The Terminal Railway of Buffalo and its successors of any defects in said roadways or the portions thereof required to be maintained by said The Terminal Railway of Buffalo, and such defects shall be repaired within ten days after such notice.

[Grade Crossing Case No. 650] XXIII *April 30, 1907.*

In the matter of the Petition of THE TERMINAL RAILWAY OF BUFFALO, under sections 60 and 62 of the Railroad Law, as to its railway crossing highways in the town of West Seneca, Erie county.

This application by The Terminal Railway of Buffalo was filed with this Board December 1, 1906. The petition alleges:

"1. Under section 62 of the Railroad Law, that public safety requires changes in the manner in which highways known as Clinton street and the Mineral Spring road, in the town of West Seneca, Erie county, cross The Terminal Railway of Buffalo, and asks this Board to determine what changes in the manner of said crossings shall be made, it being proposed by a map filed with the petition that Clinton street shall be changed from grade to an overcrossing of the railroad at the present location of the crossing, and that the Mineral Spring road shall be changed from grade to an overcrossing of the railroad, the overcrossing to be located a slight distance north of the present grade crossing and the present grade crossing to be closed and discontinued, and the petition asks this Board to so determine; and

"2. Under section 60 of the Railroad Law, the petition asks this Board to determine the manner in which many additional tracks of The Terminal Railway of Buffalo shall cross Clinton street and the Mineral Spring road as they at present exist, it being proposed (because of the propositions involved under section 62 as to changing these highway grade crossings to overcrossings) that the additional tracks shall cross these highways at grade, and the petition asks that the Board will immediately determine the manner in which four of said additional tracks shall cross said highways."

On the same date there was filed with the Board a petition by this applicant of the same character referring to crossings in the town of Cheektowaga, Erie county, and the hearings and proceedings were held in relation to both applications at the same time. The reasons for this determination are as set forth in a determination of this date in the Cheektowaga case and need not be repeated here.

This Board hereby determines, under section 60 of the Railroad Law:

1. That four additional tracks of The Terminal Railway of Buffalo shall immediately cross Clinton street and the Mineral Spring road highways in the town of West Seneca, Erie county, at the grade of said highways, and that additional tracks of said railway shall cross the present locations of said highways at grade after the construction of the bridges hereinafter referred to carrying said highways over the said railway above grade.

This Board hereby determines, under sections 60 and 62 of the Railroad Law:

a. That the Clinton street highway grade crossing of The Terminal Railway of Buffalo in the town of West Seneca, Erie county, shall be changed to an overhead bridge crossing of said railway to be situated at the present location of the crossing; that said overhead bridge shall be of steel, of a width of thirty ft. for roadway and have a five ft. sidewalk on brackets, and be of a length to span the entire right of way of said railway; that the floor of said overhead bridge shall be of asphalt; that the approaches to said overhead bridge shall be on a grade not greater than four per cent., and shall be of a width of thirty-five ft., including roadway and sidewalk; that said approaches shall be paved with brick; that said overhead bridge shall be of sufficient strength to carry a street surface railroad car weighing fifty tons loaded; that The Terminal Railway of Buffalo shall maintain the roadway and sidewalk on the said overhead bridge and said approaches thereto, irrespective of the provisions of section 64 of the Railroad Law; that The Terminal Rail-

way of Buffalo shall pay all damages lawfully due adjoining property owners where the approaches to said overhead bridge are erected in front of private property.

b. That the Mineral Spring road highway grade crossing of The Terminal Railway of Buffalo in the town of West Seneca, Erie county, shall be closed and discontinued, and new pieces of highway and an overhead bridge crossing of said railway (to take the place of this existing grade crossing) shall be constructed, said overhead bridge crossing to be located about one hundred ft. north of the present grade crossing, the new pieces of highway in fact being the approaches to the overhead bridge; that said overhead bridge shall be of steel, of a width of thirty ft. for roadway and have a five ft. sidewalk on brackets, and be of a length to span the entire right of way of said railway; that the floor of said overhead bridge shall be of asphalt; that the approaches to said overhead bridge shall be on a grade not greater than four per cent., and shall be of a width of thirty-five ft., including roadway and sidewalk; that said approaches shall be macadamized; that said overhead bridge shall be of sufficient strength to carry a street surface railroad car weighing fifty tons loaded; that The Terminal Railway of Buffalo shall maintain the roadway and sidewalk on the said overhead bridge and said approaches thereto, irrespective of the provisions of section 64 of the Railroad Law; that The Terminal Railway of Buffalo shall pay all damages lawfully due adjoining property owners where the approaches to said overhead bridge are erected in front of private property.

This Board also hereby determines, under section 65 of the Railroad Law, that none of the cost of the work or expenses or claims connected therewith under this determination shall be borne by the State or by the town of West Seneca, Erie county.

This Board also hereby determines, that whenever any street surface railroad shall be constructed upon any of said bridges and approaches, the company owning or operating such street surface railroad shall thereafter maintain the surface of said bridges and approaches within the rails of said surface railroad and for a width of two ft. outside of outer rails.

This Board also hereby determines that said bridges and approaches shall be under the supervision and control of the town authorities of the town of West Seneca, who shall give notice to the said The Terminal Railway of Buffalo and its successors of any defects in said roadways or the portions thereof required to be maintained by said The Terminal Railway of Buffalo, and such defects shall be repaired within ten days after such notice.

[Grade Crossing Case No. 533] XXIV *May 15, 1907.*

In the matter of the Approval of plans and specifications, under section 65 of the Railroad Law, for the elimination of grade crossings of the NEW YORK CENTRAL AND HUDSON RIVER RAILROAD in Yonkers.

On September 11, 1906, this Board determined, under section 62 of the Railroad Law, that certain crossings at grade of the New York Central and Hudson River railroad by streets and avenues in Yonkers should be changed from grade, and in said determination this Board approved blue-print plans in substantial accordance with which the work is to be done. On March 21, 1907, there were submitted to this Board by the company a portfolio of revised general plans (white prints) for this work and a blue-print detail plan of sewer in Main street, and specifications for all of the work. On April 5 and 18, and May 2, 1907, hearings were given in New York in relation to the plans in said portfolio, and in relation to said Main street sewer plan, and in relation to said specifications. Ludlow & Townsend appeared for the executors and trustees of Thomas B. Ludlow, jr., deceased, James B. Ludlow, individually, Annie Ludlow Winters, and trustees of the estate of H. M. Schieffelin; John H. Coyne, mayor, and Samuel L. Cooper, commissioner of public works, appeared for the city; George H. Walker and C. C. Paulding appeared for The New York Central and Hudson River Railroad Company.

At the hearing on May 2d there was submitted to the Board a blue-print plan as to changes in the grades of Ludlow and Bridge streets.

After consideration, this Board believes that it should approve all of the above named plans and specifications, and they are hereby approved, the said plans and specifications being attached to the office original of this determination on file in this office. These plans are substantially the same as those referred to in the determination of this Board dated September 11, 1906.

[Case No. 3736] XXV *May 28, 1907.*

In the matter of the Application of THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY (steam), under section 36 of the Railroad Law, for approval of an interlocking switch and signal apparatus proposed to be installed at a crossing at grade of said company's railroad and the Lehigh Valley railroad just west of Thurston street, Elmira, and for consent to the discontinuance of the full stop and crossing on signal at said crossing.

This interlocking plant is completed.

[Grade Crossing Case No. 674] XXVI *May 31, 1907.*

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, under section 62 of the Railroad Law, as to the Maltby's west highway grade crossing of the petitioner's railroad in the town of Brutus, Cayuga county.

This petition by The New York Central and Hudson River Railroad Company, under section 62 of the Railroad Law, was filed with this Board May 7, 1907. It alleges that public safety requires the closing and discontinuance of a grade crossing of said company's railroad by a highway known as Maltby's west highway in the town of Brutus, Cayuga county, situated at a point about two miles east of Weedsport, and asks this Board to determine that said crossing shall be closed and discontinued, the travel thereon to be diverted therefrom to the next highway crossing at grade of said railroad east of the Maltby's crossing by the construction of a new piece of highway south of the railroad, and asks this Board to determine that said new piece of highway shall be constructed. A public hearing on this petition, after notice as required by the statute, was held by Commissioner Baker, by delegation of the Board, in Weedsport on May 27, 1907. D. M. Beach appeared for the petitioner; Alexander Maltby, a property owner, appeared in person; Michael Grace, supervisor, W. H. Kevard, town clerk, G. E. Harrington, justice of the peace, O. G. Foreman, justice of the peace, John F. Kingston, justice of the peace, and John A. Traver, highway commissioner, of the town of Brutus, appeared in favor of the petition. After hearing evidence and arguments, the hearing was closed. The company stipulated at this hearing that it would build under the proposed new piece of highway a twenty-four inch drain in place of the eighteen inch drain shown on the plan, and an eighteen inch drain in place of the twelve inch drain shown on the plan, which plan accompanied the petition.

It seems to this Board, from the evidence, that public safety requires that this Maltby's west highway grade crossing should be closed and discontinued and the new piece of highway be constructed. This Board, therefore, hereby determines, under section 62 of the Railroad Law, that the crossing at grade of the New York Central and Hudson River railroad by a highway known as Maltby's west highway in the town of Brutus, Cayuga county, situated at a point about two miles east of Weedsport, shall be closed and discontinued,

the travel thereon to be diverted therefrom to the next highway crossing at grade of said railroad east of the Maltby's crossing, a distance of about 1,080 ft., by the construction of a new piece of highway south of the railroad from the Maltby's west highway to the said next highway crossing at grade of said railroad east of the Maltby's crossing, which said new piece of highway this Board hereby determines, under section 62 of the Railroad Law, shall be constructed substantially as shown on a plan which accompanied the petition in this case and which plan is attached to the office original determination in this matter on file in this office, on condition that the company build under the new piece of highway a twenty-four inch drain in place of the eighteen inch drain shown on said plan, and an eighteen inch drain in place of the twelve inch drain shown on said plan, and on condition that the Maltby's west highway grade crossing of said railroad shall not be closed and discontinued until said new piece of highway is constructed and ready for use by the public.

None of the cost of the work under this determination shall be borne by either the State or the town of Brutus, Cayuga county.

[Case No. 3984] XXVII *June 5, 1907.*

In the matter of the Application of the LEHIGH AND LAKE ERIE RAILROAD COMPANY, under section 68 of the Railroad Law, as to its railroad crossing other steam railroads at various points in the town of West Seneca, Erie county.

This application by the Lehigh and Lake Erie Railroad Company (steam), under section 68 of the Railroad Law, was filed with this Board March 28, 1907. It asks this Board to determine the manner in which the applicant's railroad shall cross other steam railroads at five points in the town of West Seneca, Erie county, and to determine the proportion of expense of each crossing to be paid by each railroad company. Attached to the petition are copies of agreements between the applicant company and the other companies as to these proposed crossings. The proposed crossings are of the New York, Chicago and St. Louis railroad; the South Buffalo railway, west of Roland; The Terminal Railway of Buffalo and the Lake Shore and Michigan Southern railway; Western New York and Pennsylvania railway, west of Roland; Western New York and Pennsylvania railway, north of Winchester. A public hearing on this application was given by this Board in the city of Buffalo on April 10, 1907. Walter P. Cooke appeared for the applicant; Hoyt & Spratt appeared for The New York Central and Hudson River Railroad Company, The Lake Shore and Michigan Southern Railway Company, and The Terminal Railway of Buffalo; H. M. North also appeared for The Lake Shore and Michigan Southern Railway Company; A. J. Hastings appeared for the Western New York and Pennsylvania Railway Company; John W. Fisher appeared for the town of West Seneca. After hearing arguments, the hearing was adjourned until April 16, 1907, in Albany. On April 16th no one appeared before the Board in this matter, but a letter was received from Walter P. Cooke and a telegram from M. C. Spratt. It is proposed that the applicant's railroad shall cross all of the other railroads named on overhead bridges.

This Board hereby determines, under section 68 of the Railroad Law, that the railroad of the Lehigh and Lake Erie Railroad Company shall cross other steam railroads in the town of West Seneca, Erie county, above the grade of said other steam railroads, on overhead bridges, as follows:

1. Above the grade of the New York, Chicago and St. Louis railroad.
2. Above the grade of the South Buffalo railway, west of Roland.
3. Above the grade of The Terminal Railway of Buffalo and the Lake Shore and Michigan Southern railway.
4. Above the grade of the Western New York and Pennsylvania railway, west of Roland.

5. Above the grade of the Western New York and Pennsylvania railway, north of Winchester.

This Board also hereby determines, under section 68 of the Railroad Law, that the proportion of expense of such crossings to be paid by the Lehigh and Lake Erie Railroad Company and the other railroad companies above named shall be as set forth in agreements between the Lehigh and Lake Erie Railroad Company and the other companies above named, copies of which agreements are attached to the petition in this matter on file in this office.

[Case No. 4105] XXVIII *June 25, 1907.*

In the matter of the Application of the GENEVA, PHELPS AND NEWARK RAILROAD COMPANY, under section 68 of the Railroad Law, as to its single track street surface railroad crossing the double track railroad of the Lehigh Valley Railroad Company (steam) in Genesee street in the City of Geneva, in an existing undercrossing.

This application by the Geneva, Phelps and Newark Railroad Company, under section 68 of the Railroad Law, was filed with this Board June 14, 1907. It asks this Board to determine the manner in which the applicant's single track street surface railroad shall cross the double track railroad of the Lehigh Valley Railroad Company (steam) in Genesee street in the city of Geneva, and to determine the proportion of expense of such crossing to be paid by each railroad company. The petition sets forth that at the point in question Genesee street crosses the Lehigh Valley railroad in an existing undercrossing. A public hearing on this application was held by this Board in the city of Albany on June 25, 1907. Lansing G. Hoskins appeared for the applicant. No one else appeared. After hearing arguments, the hearing was closed. There is filed with the papers in this case a copy of an agreement between the applicant company and the Lehigh Valley Railroad Company as to this undercrossing.

This Board hereby determines, under section 68 of the Railroad Law, that the single track street surface railroad of the Geneva, Phelps and Newark Railroad Company shall cross the double track railroad of the Lehigh Valley Railroad Company in Genesee street in the city of Geneva in an existing undercrossing of the steam railroad. This Board also hereby determines, under section 68 of the Railroad Law, that the proportion of expense of such crossing to be paid by the Geneva, Phelps and Newark Railroad Company and the Lehigh Valley Railroad Company shall be as set forth in said agreement.

[Case No. 4104] XXIX *June 25, 1907.*

In the matter of the Application of the GENEVA, PHELPS AND NEWARK RAILROAD COMPANY, under section 68 of the Railroad Law, as to its single track street surface railroad crossing the single track railroad of the Auburn branch of the New York Central and Hudson River railroad (steam) at (steam) in Genesee street in the City of Geneva, in an existing undercrossing.

This application by the Geneva, Phelps and Newark Railroad Company, under section 68 of the Railroad Law, was filed with this Board June 14, 1907. It asks this Board to determine the manner in which the applicant's single track street surface railroad shall cross the Auburn branch of the New York Central and Hudson River railroad (steam) at Kelley street in the town of Phelps, Ontario county, and to determine the proportion of expense of such crossing to be paid by each railroad company. The petition sets forth that at the point in question Kelley street crosses the New York

Central and Hudson River railroad in an existing undercrossing. Public hearing on this application was held by this Board in the city of Albany on June 25, 1907. Lansing G. Hoskins appeared for the applicant. Harris & Rudd appeared for The New York Central and Hudson River Railroad Company. No one else appeared. After hearing arguments, the hearing was closed. There is filed with the papers in this case a copy of an agreement between the applicant company and The New York Central and Hudson River Railroad Company as to this undercrossing.

This Board hereby determines, under section 68 of the Railroad Law, that the single track street surface railroad of the Geneva, Phelps and Newark Railroad Company shall cross the Auburn branch of the New York Central and Hudson River railroad (steam) at Kelley street, in the town of Phelps, Ontario county, in an existing undercrossing of the steam railroad. This Board also hereby determines, under section 68 of the Railroad Law, that the proportion of expense of such crossing to be paid by the Geneva, Phelps and Newark Railroad Company and The New York Central and Hudson River Railroad Company shall be as set forth in said agreement.

[Case No. 4103] XXX *June 25, 1907.*

In the matter of the Application of the GENEVA, PHELPS AND NEWARK RAILROAD COMPANY, under section 68 of the Railroad Law, as to its single track street surface railroad crossing the single track railroad of the Northern Central Railway Company (steam) at a point just south of the Canandaigua outlet in the town of Phelps, Ontario county, in an existing undercrossing.

This application of the Geneva, Phelps and Newark Railroad Company, under section 68 of the Railroad Law, was filed with this Board June 14, 1907. It asks this Board to determine the manner in which the applicant's single track street surface railroad shall cross the single track railway of the Northern Central Railway Company at a point just south of the Canandaigua outlet in the town of Phelps, Ontario county, and to determine the proportion of expense of such crossing to be paid by each railroad company. The petition sets forth that at the point in question there is an existing undercrossing of the steam railroad. A public hearing on this application was held by this Board in the city of Albany on June 25, 1907. Lansing G. Hoskins appeared for the applicant. After hearing arguments, the hearing was closed. It was stated by Mr. Hoskins at the hearing that the applicant company has practically agreed with the Northern Central Railway Company as to this undercrossing, but that the agreement had not yet been executed.

This Board hereby determines, under section 68 of the Railroad Law, that the single track street surface railroad of the Geneva, Phelps and Newark Railroad Company shall cross the railway of the Northern Central Railway Company at a point just south of the Canandaigua outlet in the town of Phelps, Ontario county, in an existing undercrossing of the steam railway. This Board also hereby determines, under section 68 of the Railroad Law, that the proportion of expense of such crossing to be paid by the Geneva, Phelps and Newark Railroad Company and the Northern Central Railway Company shall be as set forth in said agreement.

[Case No. 3715] XXXI *June 25, 1907.*

In the matter of the ERIE RAILROAD COMPANY *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

This complaint was a dispute between the companies as to a new interlocking plant which was being installed, to take the place of an old plant, at a crossing at grade of the railroads in Batavia. After correspondence and a

hearing in the matter, it was settled, an inspector for the Board reporting, under date of June 11, 1907, as follows:

"Referring to the matter of the operation of the interlocking plant at Batavia, at the crossing of the N. Y. C. & H. R. R. R. and the Erie R. R., where there has been a dispute between said companies as to the operation, I would report that I have visited the crossing in question and find that the crossing is now protected and operated in the manner called for by the plan submitted to the Board. That the Erie Co.'s signals and derails are now interlocked with the N. Y. Central's system, that the old tower has been removed, and that the plant is now working satisfactorily."

[Grade Crossing Case No. 681] XXXII *June 26, 1907.*

In the matter of the Petition of the NYPANO RAILROAD COMPANY, under section 62 of the Railroad Law, as to changing the Shadyside avenue grade crossing of the petitioner's railroad in the village of Lakewood, Chautauqua county, to an undercrossing of said railroad.

This petition by the Nypano Railroad Company, under section 62 of the Railroad Law, was filed with this Board June 3, 1907. It alleges that public safety requires an alteration of the manner in which the street known as Shadyside avenue in the village of Lakewood, Chautauqua county, crosses the petitioner's railroad, and asks this Board to determine that said crossing, which is now at grade, shall be changed to an undercrossing of said railroad, the petition setting forth that the petitioner will bear the entire cost of the proposed change, and that none of the cost is to be borne by either the State or the village of Lakewood. A public hearing on this petition, after notice as required by the statute, was held by this Board in the city of Albany on June 25, 1907. Jerome B. Fisher appeared for the applicant; no one else appeared. After hearing evidence and arguments, the hearing was closed. It seems to this Board from the evidence, that public safety requires that this crossing should be changed from grade to an undercrossing.

This Board hereby determines, under section 62 of the Railroad Law, that the crossing at grade of the Nypano railroad by the street known as Shadyside avenue in the village of Lakewood, Chautauqua county, shall be changed from grade, and the street be carried under the said railroad in an undercrossing to be located at the point of the present grade crossing.

This Board also hereby determines, under section 62 of the Railroad Law, that the said grade crossing of said railroad shall not be closed and discontinued until the said undercrossing and approaches thereto are constructed and ready for use by the public; or if it shall appear to be necessary to close the present grade crossing during the construction of the undercrossing, a temporary crossing at grade of said railroad for teams and pedestrians near the existing grade crossing shall be provided during the construction of the undercrossing and until the undercrossing and approaches thereto are completed and ready for use by the public.

This Board also hereby determines, under section 62 of the Railroad Law, that said undercrossing shall be at least twenty ft. wide in the clear between abutments, and that the lowest part of the bridge or structure carrying the railroad shall be at least thirteen ft. above any part of the street in said undercrossing.

This Board also hereby determines, under section 65 of the Railroad Law, that none of the cost under this determination shall be borne by the State or by the village of Lakewood, Chautauqua county.

[Case No. 4119] XXXIII *June 26, 1907.*

In the matter of the Application of the SYRACUSE AND SOUTH BAY ELECTRIC RAILROAD COMPANY (street surface), under section 68 of the Railroad Law, as to crossing the Syracuse Junction railroad (steam), leased to and operated by The New York Central and Hudson River Railroad Company, just north of Syracuse.

This application by the Syracuse and South Bay Electric Railroad Company, under section 68 of the Railroad Law, was filed with this Board June 24, 1907. It asks this Board to determine the manner in which the applicant's double track road shall cross the Syracuse Junction railroad (steam), leased to and operated by The New York Central and Hudson River Railroad Company, at a point about three hundred ft. east of the Brewerton plank road just north of the city of Syracuse. An agreement between the applicant company and The New York Central and Hudson River Railroad Company as to this crossing was presented to the Board, from which it appears that the applicant's railroad is to cross the steam railroad in an undercrossing. No hearing in this matter was held.

This Board hereby determines, under section 68 of the Railroad Law, that the double track street surface railroad of the Syracuse and South Bay Electric Railroad Company shall cross the Syracuse Junction railroad (steam), leased to and operated by The New York Central and Hudson River Railroad Company, at a point about three hundred ft. east of the Brewerton plank road just north of the city of Syracuse, below the grade of said steam railroad in an undercrossing.

This Board also hereby determines, under section 68 of the Railroad Law, that the proportion of expense of such undercrossing to be paid by the Syracuse and South Bay Electric Railroad Company and by The New York Central and Hudson River Railroad Company, lessee, shall be as set forth in said agreement.

[Case No. 4123] XXXIV *June 26, 1907.*

In the matter of the Application of the DUNKIRK STREET RAILWAY COMPANY, under section 68 of the Railroad Law, as to crossing the Dunkirk, Allegheny Valley and Pittsburgh railroad (steam), leased to The New York Central and Hudson River Railroad Company and operated by The Lake Shore and Michigan Southern Railway Company, in the city of Dunkirk.

This application by the Dunkirk Street Railway Company, under section 68 of the Railroad Law, was filed with this Board June 26, 1907. It asks this Board to determine the manner in which the applicant's double track railway shall cross the Dunkirk, Allegheny Valley and Pittsburgh railroad (steam), leased to The New York Central and Hudson River Railroad Company and operated by The Lake Shore and Michigan Southern Railway Company, at a point about four hundred and fifty ft. southerly from a crossing of the Dunkirk, Allegheny Valley and Pittsburgh railroad and the New York, Chicago and St. Louis railroad, which point is in or near the extension southwesterly of the westerly line of Doughty street in the city of Dunkirk. A copy of an agreement between the applicant company and The Lake Shore and Michigan Southern Railway Company for itself and as agent of The New York Central and Hudson River Railroad Company, as to this crossing, was presented to this Board on this date by Kenefick, Cooke and Mitchell, attorneys for the applicant, from which it appears that the applicant's double track railroad is to cross the steam railroad in an undercrossing; the steam railroad now consisting of one track, but provision being made in the agreement for a second track. No hearing in this matter was held.

This Board hereby determines, under section 68 of the Railroad Law, that the double track railway of the Dunkirk Street Railway Company shall cross the Dunkirk, Allegheny Valley and Pittsburgh railroad (steam), leased to The New York Central and Hudson River Railroad Company and operated by The Lake Shore and Michigan Southern Railway Company, at a point about four hundred and fifty ft. southerly from a crossing of the Dunkirk, Allegheny Valley and Pittsburgh railroad and the New York, Chicago and St. Louis railroad, which point is in or near the extension southwesterly of the westerly line of Doughty street in the city of Dunkirk, below the grade of said steam railroad in an undercrossing. This Board also hereby determines, under section 68 of the Railroad Law, that the proportion of expense of such crossing to be paid by the Dunkirk Street Railway Company and by The Lake Shore and Michigan Southern Railway Company as agent, or by The New York Central and Hudson River Railroad Company as lessee, shall be as set forth in said agreement.

[Case No. 4124] XXXV *June 26, 1907.*

In the matter of the Application of THE BUFFALO AND LAKE ERIE TRACTION COMPANY (street surface), under section 68 of the Railroad Law, as to crossing the Lake Shore and Michigan Southern railway (steam) in the village of Farnham, Erie county.

This application by The Buffalo and Lake Erie Traction Company, under section 68 of the Railroad Law, was filed with this Board June 26, 1907. It asks this Board to determine the manner in which the applicant's railroad shall cross the Lake Shore and Michigan Southern railway at a point about four hundred and fifty ft. east of Commercial street in the village of Farnham, Erie county. A copy of an agreement between the applicant company and The Lake Shore and Michigan Southern Railway Company was presented to this Board on this date as to this crossing, by Kenefick, Cooke and Mitchell, attorneys for the applicant, from which it appears that the applicant's railroad is to cross the steam railway in an undercrossing. No hearing in this matter was held.

This Board hereby determines, under section 68 of the Railroad Law, that the railroad of The Buffalo and Lake Erie Traction Company (street surface) shall cross the Lake Shore and Michigan Southern railway (steam) at a point about four hundred and fifty ft. east of Commercial street in the village of Farnham, Erie county, below the grade of said steam railway, in an undercrossing. This Board also hereby determines, under section 68 of the Railroad Law, that the proportion of expense of such crossing to be paid by The Buffalo and Lake Erie Traction Company and The Lake Shore and Michigan Southern Railway Company shall be as set forth in said agreement.

[Grade Crossing Case No. 625] XXXVI *June 28, 1907.*

In the matter of the Application of the GENESEE RIVER RAILROAD COMPANY, under section 60 of the Railroad Law, for a determination of the manner in which a changed and altered route of its railroad in the town of Hinsdale, Cattaraugus county, shall cross two highways.

This application by the Genesee River Railroad Company was filed with this Board June 18, 1907. The applicant asks the Board to determine the manner in which a changed and altered route of its railroad in the town of Hinsdale, Cattaraugus county, shall cross two highways, to wit:

1. The State road leading from Cuba to Hinsdale at a point near station 1740 plus 82 of the said changed and altered route of said railroad;

2. The highway leading from said State road highway to Keller Hill at a point near station 1745 plus 50 of the said changed and altered route of said railroad;

it being proposed that changes in highways shall be made so that one undercrossing of said railroad shall carry both of said highways under said railroad. A public hearing on this application, after notice as required by the statute, was held by this Board in the city of Albany on June 28, 1907. F. H. Robbins appeared for the applicant; no one else appeared. After hearing arguments, the hearing was closed.

This Board hereby determines, under section 60 of the Railroad Law, that the manner in which a changed and altered route of the Genesee River railroad shall cross two highways in the town of Hinsdale, Cattaraugus county, shall be as follows; this Board also hereby determines, under section 60 of the Railroad Law, that changes in and abandonment of highways shall be made as hereinafter set forth, to wit:

The State road highway leading from Cuba to Hinsdale at a point near station 1740 plus 82 of the said changed and altered route of said railroad, and the highway leading from said State road highway to Keller Hill at a point near station 1745 plus 50 of the said changed and altered route of said railroad, shall both be changed in location, new pieces of highway shall be constructed, and said State road highway and the highway leading from said State road highway to Keller Hill shall be combined and carried under said railroad in one undercrossing at a point near station 1743 plus 10 of said changed and altered route of said railroad; substantially as shown by a blueprint plan attached to the office original determination in this matter on file in this office.

[Grade Crossing Case No. 676] XXXVII *June 28, 1907.*

In the matter of the Application of THE DELAWARE AND HUDSON COMPANY, under section 60 of the Railroad Law, for a determination of the manner in which a second track of said company's railroad being constructed between Schenectady and Delanson shall cross highways in the town of Duanesburgh, Schenectady county.

This application by The Delaware and Hudson Company was filed with this Board May 18, 1907. The applicant asks the Board to determine the manner in which a second track of its railroad being constructed between Schenectady and Delanson shall cross highways in the town of Duanesburgh, Schenectady county. A public hearing on this application, after notice as required by the statute, was held by this Board in the city of Albany on May 28, 1907. L. E. Carr appeared for the applicant; W. W. Wemple, attorney, and C. A. Cullings, highway commissioner, appeared for the town of Duanesburgh, not in opposition. After hearing arguments, the evidence and arguments were closed.

This Board hereby determines, under section 60 of the Railroad Law, that the manner in which a second track of The Delaware and Hudson Company's railroad being constructed between Schenectady and Delanson shall cross the following highways in the town of Duanesburgh, Schenectady county, shall be as follows; this Board also hereby determines, under section 60 of the Railroad Law, that a change in a highway shall be made as hereinafter set forth; to wit:

1. Above the grade of the highway known as the Liddle and Van Patten road; this highway to be changed in location.

2. Above the grade of the highway known as Duanesburgh turnpike.

[Grade Crossing Case No. 675] XXXVIII *June 28, 1907.*

In the matter of the Application of THE DELAWARE AND HUDSON COMPANY, under section 60 of the Railroad Law, for a determination of the manner in which a second track of said company's railroad being constructed between Schenectady and Delanson shall cross highways in the town of Princetown, Schenectady county.

This application by The Delaware and Hudson Company was filed with this Board May 18, 1907. The applicant asks the Board to determine the manner in which a second track of its railroad being constructed between Schenectady and Delanson shall cross highways in the town of Princetown, Schenectady county. A public hearing on this application, after notice as required by the statute, was held by this Board in the city of Albany on May 28, 1907. L. E. Carr appeared for the applicant; W. W. Wemple appeared for the town of Princetown, not in opposition. After hearing arguments, the evidence and arguments were closed.

This Board hereby determines, under section 60 of the Railroad Law, that the manner in which a second track of The Delaware and Hudson Company's railroad being constructed between Schenectady and Delanson shall cross highways in the town of Princetown, Schenectady county, shall be as follows, to wit:

1. Above the grade of the highway known as Wingates public road.
2. Above the grade of the highway known as Bonnykill road.

[Grade Crossing Case No. 683] XXXIX *June 28, 1907.*

In the matter of the Application of the DELAWARE AND EASTERN RAILWAY COMPANY, under section 60 of the Railroad Law, for a determination of the manner in which its single track railroad shall cross streets, avenues, or highways in Schenectady, Schoharie, Greene, and Delaware counties.

Appearances:

E. J. Welch for the applicant;

C. P. Sanders for the village of Scotia;

William W. Wemple, attorney; R. J. Little, supervisor; C. A. Cummings, highway commissioner; and L. H. White, justice of the peace, for the town of Duanesburgh, Schenectady county;

Charles H. Hardin for the highway commissioner of the town of Glenville, Delaware county;

F. L. Getman, deputy state engineer, for the State Engineer's department;

Bouton & Ives for the commissioner of highways of the town of Roxbury, Delaware county;

Harris & Rudd for The New York Central and Hudson River Railroad Company and the West Shore railroad;

Charles Durham, supervisor, for the town of Blenheim, Schenectady county.

This application by the Delaware and Eastern Railway Company, under section 60 of the Railroad Law, was filed with this Board June 13, 1907. The applicant asks the Board to determine the manner in which its single track railroad shall cross streets, avenues, or highways in Schenectady, Schoharie, Greene, and Delaware counties. A public hearing on this application, after notice as required by the statute, was held by this Board in the city of Albany on June 25, 1907, and the hearing was closed on said date except in relation to the proposed crossings in Schenectady county, the matter of which crossings was not taken up on June 25th, but was adjourned until June 28th. On June 28th a public hearing was held by this Board in the city of Albany in relation to the crossings in Schenectady county. At this hearing on June 28th the applicant withdrew that part of its application in relation to pro-

posed crossings in the village of Scotia and the town of Glenville, Schenectady county; and this Board makes no determination in relation to the proposed crossings in the village of Scotia, the town of Glenville not being named in the application but the village of Scotia being in said town. Evidence and arguments in relation to the proposed crossings were heard, and the hearing was closed.

After consideration of the evidence, this Board hereby determines, under section 60 of the Railroad Law, that it would be impracticable for the single track railway of the Delaware and Eastern Railway Company to cross otherwise than at grade the streets, avenues, or highways hereinafter named (the numbers corresponding to the numbers in the public notice of hearing) except where a method of crossing otherwise than at grade is hereinafter named, and in such cases this Board hereby determines that said crossings by said single track railway shall be over or under the streets, avenues, or highways as hereinafter set forth:

SCHENECTADY COUNTY.

SCHENECTADY AND MARGARETVILLE DIVISION.

City of Schenectady.

1. At grade the highway leading from Schenectady to Rotterdam Junction.

Town of Rotterdam.

2. At grade the highway leading from Schenectady to South Schenectady.
3. Over the grade of the highway between Schenectady and South Schenectady. In this case this Board also hereby determines, under section 60 of the Railroad Law, that the clear width of said undercrossing shall be thirty ft.
4. Over the grade of the highway between Schenectady and South Schenectady.
5. Under the grade of the highway leading from South Schenectady to Rotterdam Junction. In this case this Board also hereby determines, under section 60 of the Railroad Law, that the bridge to carry the highway over the railroad at this point shall be of steel, shall be twenty-eight ft. wide between railings, which railings shall be closed board fences; and shall have a solid floor; the approaches to the bridge shall be twenty-eight ft. wide between railings, which railings shall be closed board fences.
6. At grade the highway between South Schenectady and Duanesburgh.

Town of Princetown.

7. At grade the highway between South Schenectady and Kelly's station.
8. Over the grade of the highway leading from Kelly's station to Mariaville.
9. At grade the highway between Kelly's station and Duanesburgh.

Town of Duanesburgh.

10. At grade the highway between Kelly's station and Duanesburgh.
11. At grade the highway between Duanesburgh and Delanson.
12. Over the grade of the highway between Duanesburgh and Delanson.
13. Under the grade of the highway between Duanesburgh and Delanson.
14. At grade the highway between Duanesburgh and Delanson.
15. At grade the highway between Delanson and Esperance.
16. At grade the highway between Delanson and Esperance.
17. At grade the highway between Delanson and Esperance.
18. Under the grade of the highway leading from Esperance to Schoharie Junction.
19. At grade the highway leading from Esperance to Shutters Corners.

Rotterdam Spur; Town of Rotterdam.

1. At grade the highway leading from Schenectady to Rotterdam Junction.
2. At grade the highway between Schenectady and Rotterdam Junction.
3. Over the grade of the highway being a crossroad leading to main road between Schenectady and Rotterdam Junction.

Scotia Spur; Village of Scotia.

The application as to crossings Nos. 1 to 6, inclusive, under this title was withdrawn by the company as stated above.

Town of Rotterdam.

7. Over the grade of the highway between Schenectady and Rotterdam Junction.
8. At grade the highway between South Schenectady and Rotterdam Junction.
9. At grade the highway between South Schenectady and Rotterdam Junction.
10. Over the grade of the highway between South Schenectady and Rotterdam Junction.

New York Central connection; Village of Scotia.

The application as to crossings Nos. 1 to 5, inclusive, under this title was withdrawn by the company as stated above.

SCHOHARIE COUNTY.

SCHENECTADY AND MARGARETVILLE DIVISION.

Town of Esperance.

20. At grade the highway known as Oak Hill road.

Town of Schoharie.

21. Over the grade of the highway between Schoharie and Esperance.
22. At grade the highway between Schoharie and Esperance.
23. Over the grade of the highway between Central Bridge and Shutters Corners.
24. Over the grade of the highway between Esperance and Schoharie.
25. At grade the highway between Schoharie and Gallupville.
26. Over the grade of the highway known as Waterbury road.

Village of Schoharie.

27. Under the grade of the highway leading to Waterbury road.
28. At grade the highway known as Waterbury road.
29. Under the grade of the highway called Prospect street.
30. At grade the highway called Cemetery street.
31. At grade the highway called Spring street.
32. At grade the highway called Main street.

Town of Middleburgh.

33. At grade the highway being a crossroad leading to main highway between Schoharie and Middleburgh.
34. At grade the highway between Schoharie and Middleburgh.
35. At grade a street in Middleburgh.
36. At grade the highway called Grove street in Middleburgh.
37. At grade the highway called Cliff street in Middleburgh.
38. At grade the highway called Main street in Middleburgh.
39. At grade the highway between Middleburgh and Breakabeen.

Town of Fulton.

40. Under the grade of the highway being a crossroad leading to main highway between Breakabeen and Middleburgh.
41. At grade the highway between Middleburgh and Breakabeen.
42. At grade the highway between Middleburgh and Breakabeen.
43. At grade the highway known as Guinea road.
44. At grade the highway between Breakabeen and North Blenheim.

Town of Blenheim.

46. At grade the highway between Breakabeen and North Blenheim.
47. At grade the highway between North Blenheim and Gilboa.
48. Over the grade of the highway between Blenheim and Gilboa.
49. Under the grade of the highway between Broome Center and Gilboa.
50. At grade the highway between Gilboa and Prattsville.

Town of Conesville.

51. At grade the highway between Gilboa and Prattsville.

GREENE COUNTY.

SCHENECTADY AND MARGARETVILLE DIVISION.

Town of Prattsville.

52. At grade the highway called Washington street in Prattsville.
53. Over the grade of the highway called Main street in Prattsville.
54. At grade the highway between Prattsville and Grand Gorge.
55. At grade the highway between Prattsville and Grand Gorge.

DELAWARE COUNTY.

SCHENECTADY AND MARGARETVILLE DIVISION.

Town of Roxbury.

56. Over the grade of the highway known as Johnson Hollow road.
57. At grade the highway being a crossroad leading to Main road between Prattsville and Grand Gorge.
58. Over the grade of the highway known as Toad Hollow road.
59. At grade the highway being a crossroad leading to main road between Prattsville and Grand Gorge.
60. At grade the highway between Grand Gorge and Prattsville.
61. At grade the highway known as Ferris Hill road.
62. Over the grade of the highway between Grand Gorge and Roxbury.
63. At grade the highway between Grand Gorge and Stamford.
64. Over the grade of the highway between Grand Gorge and Roxbury.
65. At grade the highway being a crossroad leading to main road between Roxbury and Grand Gorge.
66. Over the grade of the highway being a crossroad leading to main road between Roxbury and Grand Gorge.
67. Over the grade of the highway between Grand Gorge and Roxbury.
68. At grade the highway between Roxbury and Grand Gorge.
69. Over the grade of the highway known as Roxbury turnpike.
70. At grade the highway between Roxbury and Halcottsville.

Town of Middletown.

71. At grade the highway between Halcottsville and Roxbury.
72. At grade the highway being a crossroad leading to main road between Kelly's Corners and Halcottsville.
73. At grade the highway being a crossroad leading to main road between Kelly's Corners and Halcottsville.
74. At grade the highway known as Hubble Hill road.
75. At grade the highway known as Roxbury turnpike.
76. At grade the highway being a crossroad leading to Roxbury turnpike.

DELAWARE COUNTY.

HANCOCK AND EAST BRANCH DIVISION.

Village of Hancock.

1. At grade the highway being the River road leading from Hancock to Stockport.
1. (Erie connection.) At grade the highway being the River road leading from Hancock to Stockport.
2. At grade the highway being the River road leading from Hancock to Stockport.
3. Over the grade of the highway being the River road leading from Hancock to Stockport.

Town of Hancock.

4. Over the grade of the highway leading from Hancock to Fish's Eddy on east side of East branch, Delaware river.
5, or 5½. At grade the River road leading from Hancock to Fish's Eddy on east side of East branch, Delaware river.
6. At grade the highway leading from Fish's Eddy on east side of East branch, Delaware river.
7. At grade the highway leading from Cadosia to Fish's Eddy.

8. Over the grade of the highway leading from Fish's Eddy to East branch.
9. At grade the highway leading from Fish's Eddy to East branch.
10. At grade the highway leading from Fish's Eddy to East branch.
11. At grade the highway leading from Fish's Eddy to Harvard.
12. Over the grade of the highway leading from East branch to Harvard on the east side of East branch, Delaware river.

[Grade Crossing Case No. 685] XL *June 28, 1907.*

In the matter of the Petition of the TOWN BOARD OF THE TOWN OF CHEMUNG, Chemung county, under section 62 of the Railroad Law, as to changing from grade a highway crossing of the Erie railroad in said town.

This petition by the Town Board of the town of Chemung, Chemung county, was filed with this Board June 18, 1907. It alleges that public safety requires that the highway grade crossing of the Erie railroad by the main highway leading from Waverly to Chemung, at a point known as Holbert's crossing in said town, shall be changed from grade, and that said highway shall be carried under said railroad in an undercrossing. A public hearing on this petition, after notice as required by the statute, was held by this Board in the city of Albany on June 28, 1907. F. L. Howard appeared for the petitioners; Reynolds, Stanchfield & Collin appeared for the Elmira, Corning and Waverly railway, which is mentioned in the petition; H. M. Andrews appeared for the Erie Railroad Company. After hearing evidence and arguments, the hearing was closed. It seems to this Board from the evidence that public safety requires that this crossing should be changed from grade to an undercrossing.

This Board, therefore, hereby determines, under section 62 of the Railroad Law, that the crossing at grade of the Erie railroad by the main highway leading from Waverly to Chemung, at a point known as Holbert's crossing in the town of Chemung, Chemung county, shall be changed from grade, and the highway shall be carried under said railroad at such point in an undercrossing.

This Board also hereby determines, under section 62 of the Railroad Law, that said undercrossing shall be at least sixteen ft. wide between abutments, and that the clearance from the roadway of the highway to the lowest part of the bridge carrying the railroad shall be not less than twelve ft., and that the grades on the approaches to such undercrossing shall not exceed five per cent.

This Board also hereby determines, under section 62 of the Railroad Law, that the said grade crossing of said railroad shall not be closed and discontinued until the said undercrossing and approaches thereto are constructed and ready for use by the public; or if it shall appear to be necessary to close the present grade crossing during the construction of the undercrossing, a temporary crossing at grade of said railroad for teams and pedestrians near the existing grade crossing shall be provided during the construction of the undercrossing and until the undercrossing and approaches thereto are completed and ready for use by the public.

HIGHWAY CROSSING SIGNS ON RAILROADS.

[Case No. 4031] I *April 30, 1907.*

In the matter of the Application of the ADIRONDACK AND ST. LAWRENCE RAILROAD COMPANY, under section 33 of the Railroad Law, as to highway crossing signs to be used on its railroad between De Kalb Junction and the village of Hermon.

This application by the Adirondack and St. Lawrence Railroad Company, under section 33 of the Railroad Law, as to highway crossing signs, was filed with this Board April 20, 1907. It asks this Board to approve the form of highway crossing sign to be erected at three points where said company's railroad crosses public highways at grade. Attached to the application is a blue-print plan of the sign board, approval of which is asked. The statement of the dimensions of this sign board in the petition does not agree with the scale of this plan, and this determination refers to the plan and not to the statement in the petition. No hearing in this matter was given.

This Board believes that the form of highway crossing sign shown by the blue-print plan attached to the application is a proper one to be maintained at such crossings. This Board, therefore, hereby approves, under section 33 of the Railroad Law, the shape and design of a highway crossing sign board shown by a blue-print plan attached to the application in this matter on file in this office, to be established and maintained by the Adirondack and St. Lawrence Railroad Company at three highway grade crossings of its railroad known respectively as the Richville road, the Gouverneur road, and the De Kalb road, in the town of De Kalb, St. Lawrence county.

This Board, also, under section 33 of the Railroad Law, hereby prescribes that such sign boards shall be severally located at said crossings so as to be readily seen by persons on the highways approaching the crossings, and that the elevation of such sign boards and the words of warning thereon shall be as shown by said blue-print plan of said sign board attached to the application in this matter on file in this office.

[Case No. 3793] II *June 25, 1907.*

Recommendation in relation to Highway Crossing Sign Boards on street surface railroads outside of cities and villages.

The following circular was sent, in November, 1906, to the street surface railroads of the State:

Circular No. 10, 1906.

STATE OF NEW YORK,
BOARD OF RAILROAD COMMISSIONERS,
ALBANY, *November 7, 1906.*

DEAR SIR: Section 33 of the Railroad Law, as amended by chapter 301 of the laws of 1901, provides as follows:

"Section 33. Every railroad corporation shall cause a sign board to be placed, well supported and constantly maintained, at every crossing where its road is crossed by a public highway at grade. Such sign board shall be of a shape and design to be approved by the board of railroad commissioners, and shall have suitable words painted thereon to warn travelers of the existence of such grade crossing. The board of railroad commissioners shall have power to prescribe the location and elevation of such sign and the words of warning thereon. . ."

Under this section, this Board hereby recommends to your company that highway crossing sign boards shall be placed and constantly maintained at every point where your railroad crosses a public highway at grade outside of cities and villages.

Such sign boards shall be of the shape and design shown on the drawing on the next page of this circular, and shall be located at such crossings so as to be plainly seen by travelers on the highways approaching such crossings, and the elevation thereof and words of warning thereon shall be as shown on said drawing.

Please inform this Board at once if this recommendation will be complied with by your company.

This recommendation was generally complied with.

POST 12 FT. LONG
ABOVE GROUND
BLACK LETTERS ON WHITE BACKGROUND

APPLICATIONS FOR INCREASE OF CAPITAL STOCK.

[Case No. 3882] I *January 16, 1907.*

In the matter of the Application of the STEUBEN TRACTION COMPANY for approval of an increase of its capital stock from three hundred and seventy thousand dollars ($370,000) to six hundred and thirty thousand dollars ($630,000).

Application having been made to this Board on December 31, 1906, by the Steuben Traction Company, for approval of an increase of the capital stock of said company from three hundred and seventy thousand dollars ($370,000) to six hundred and thirty thousand dollars ($630,000); and hearings on said application having been given before this Board in the city of Albany on January 9, and in the city of New York on January 16, 1907, Milo M. Acker appearing for the applicant; and certificates of the unanimous consent of stockholders of the company showing a compliance with the provisions of the Stock Corporation Law in relation to said increase of capital stock having been presented to this Board; and the purposes to which the proceeds of the said proposed increase of capital stock are to be devoted appearing from the verified petition herein, the affidavit of W. G. Kellogg herein, and from evidence at the hearings, it is

Ordered: That the increase of the capital stock of the Steuben Traction Company from three hundred and seventy thousand dollars ($370,000) to six hundred and thirty thousand dollars ($630,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the unanimous consent of stockholders of said company to said increase, according to the provisions of the Stock Corporation Law.

[Case No. 3931] II *March 5, 1907.*

In the matter of the Application of THE BUFFALO AND LAKE ERIE TRACTION COMPANY for approval of an increase of its capital stock from six million seven hundred and fifty thousand dollars ($6,750,000) to seven million five hundred thousand dollars ($7,500,000).

Application having been made to this Board on February 11, 1907, by The Buffalo and Lake Erie Traction Company, for approval of an increase of the capital stock of said company from six million seven hundred and fifty thousand dollars ($6,750,000) to seven million five hundred thousand dollars ($7,500,000); and a hearing on said application having been given before this Board in the city of Albany on March 5, 1907, Parker, Hatch & Sheehan (Mr. Hatch appearing) appearing for the applicant; and certificates of the proceedings of the stockholders' meeting showing a compliance with the provisions of the Stock Corporation Law in relation to said increase having been presented to this Board; and the purposes to which the proceeds of the said proposed increase of stock are to be devoted appearing from the verified petition herein; it is

Ordered: That the increase of the capital stock of The Buffalo and Lake Erie Traction Company from six million seven hundred and fifty thousand dollars ($6,750,000) to seven million five hundred thousand dollars ($7,500,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the stockholders' meeting, according to the provisions of the Stock Corporation Law.

[Case No. 3943] III *March 5, 1907.*

In the matter of the Application of the SYRACUSE, LAKE SHORE AND NORTHERN RAILROAD COMPANY for approval of an increase of its capital stock from two million two hundred and fifty thousand dollars ($2,250,000) to three million five hundred thousand dollars ($3,500,000).

Application having been made to this Board on February 19, 1907, by the Syracuse, Lake Shore and Northern Railroad Company, for approval of an increase of the capital stock of said company from two million two hundred and fifty thousand dollars ($2,250,000) to three million five hundred thousand dollars ($3,500,000); and a hearing on said application having been given before this Board in the city of Albany on March 5, 1907, William Nottingham appearing for the applicant; and certificates of the unanimous consent of the stockholders of the company showing a compliance with the provisions of the Stock Corporation Law in relation to said increase of capital stock having been presented to this Board; and the purposes to which the proceeds of the said proposed increase of capital stock are to be devoted appearing from the verified petition and the affidavit of C. D. Beebe herein; it is

Ordered: That the increase of the capital stock of the Syracuse, Lake Shore and Northern Railroad Company from two million two hundred and fifty thousand dollars ($2,250,000) to three million five hundred thousand dollars ($3,500,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the unanimous consent of the stockholders of said company to said increase, according to the provisions of the Stock Corporation Law.

[Case No. 3946] IV *March 5, 1907.*

In the matter of the Application of the AUBURN AND NORTHERN ELECTRIC RAILROAD COMPANY for ap-approval of an increase of its capital stock from two hundred and fifty thousand dollars ($250,000) to one million five hundred thousand dollars ($1,500,000).

Application having been made to this Board on February 19, 1907, by the Auburn and Northern Electric Railroad Company, for approval of an increase of the capital stock of said company from two hundred and fifty thousand dollars ($250,000) to one million five hundred thousand dollars ($1,500,000); and a hearing on said application having been given before this Board in the city of Albany on March 5, 1907, William Nottingham appearing for the applicant; and certificates of the unanimous consent of the stockholders of the company showing a compliance with the provisions of the Stock Corporation Law in relation to said increase of capital stock having been presented to this Board; and the purposes to which the proceeds of said proposed increase of capital stock are to be devoted appearing from the verified petition and the affidavit of C. D. Beebe herein; it is

Ordered: That the increase of the capital stock of the Auburn and Northern Electric Railroad Company from two hundred and fifty thousand dollars ($250,000) to one million five hundred thousand dollars ($1,500,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the unanimous consent of the stockholders of said company to said increase, according to the provisions of the Stock Corporation Law.

[Case No. 3959] V *March 22, 1907.*

In the matter of the Application of the WHITEHALL AND GRANVILLE RAILROAD COMPANY for approval of an increase of its capital stock from four hundred thousand dollars ($400,000) to seven hundred thousand dollars ($700,000).

Application having been made to this Board on February 28, 1907, by the Whitehall and Granville Railroad Company, for approval of an increase of its capital stock from four hundred thousand dollars ($400,000) to seven hundred thousand dollars ($700,000); and a hearing on said application having been given before this Board in the city of Albany on March 22, 1907, N. R. Holmes appearing for the applicant; and certificates of the unanimous consent of stockholders of the company showing a compliance with the provisions of the Stock Corporation Law in relation to said increase of capital stock having been presented to this Board; and the purposes to which the proceeds of the said proposed increase of capital stock are to be devoted appearing from evidence at the hearing and the affidavits of Frank B. Gridley and Charles I. Baker herein; it is

Ordered: That the increase of the capital stock of the Whitehall and Granville Railroad Company from four hundred thousand dollars ($400,000) to seven hundred thousand dollars ($700,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the unanimous consent of stockholders of said company to said increase, according to the provisions of the Stock Corporation Law.

[Case No. 3977] VI *April 4, 1907.*

In the matter of the Application of THE CONEY ISLAND AND BROOKLYN RAILROAD COMPANY for approval of an increase of its capital stock from two million dollars ($2,000,000) to three million five hundred thousand dollars ($3,500,000).

Application having been made to this Board on March 18, 1907, by The Coney Island and Brooklyn Railroad Company, for approval of an increase of the capital stock of said company from two million dollars ($2,000,000) to three million five hundred thousand dollars ($3,500,000), and certificates of the proceedings of the stockholders' meeting showing a compliance with the provisions of the Stock Corporation Law in relation to said increase of capital stock having been presented to this Board; and a hearing having been given on said application before this Board in the city of New York on April 4, 1907, W. N. Dykman appearing for the applicant; and the purposes to which the proceeds of the amount of the increase of the capital stock of said company hereby consented to are to be devoted appearing from the verified petition and the affidavits of John L. Heins and Duncan B. Cannon herein; it is

Ordered: That the increase of the capital stock of The Coney Island and Brooklyn Railroad Company from two million dollars ($2,000,000) to three million five hundred thousand dollars ($3,500,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the stockholders' meeting, according to the provisions of the Stock Corporation Law; on condition that but one million dollars ($1,000,000) of said increase of stock be issued under this approval, and on condition that the remaining five hundred thousand dollars ($500,000) of said increase of stock or any part thereof shall not be issued until after further application is made to this Board by said company for approval of the issuance of said five hundred thousand dollars ($500,000) of said increase of stock or any part thereof, and such approval of this Board has been received to the issuance of said five hundred thousand dollars ($500,000) increase of stock or any part thereof.

[Case No. 4038] VII *May 8, 1907.*

In the matter of the Application of the SOUTH BROOKLYN RAILWAY COMPANY for approval of an increase of its capital stock from one hundred and fifty thousand dollars ($150,000) to five hundred thousand dollars ($500,000).

Application having been made to this Board on April 29, 1907, by the South Brooklyn Railway Company, for approval of an increase of the capital stock of said company from one hundred and fifty thousand dollars ($150,000) to five hundred thousand dollars ($500,000); and a hearing on said application having been given before this Board in the city of New York on May 2, 1907, T. S. Williams, vice-president, and George D. Yeomans, attorney, appearing for the applicant; and certificates of the unanimous consent of the stockholders of the company showing a compliance with the provisions of the Stock Corporation Law in relation to said increase of capital stock having been presented to this Board; and the purposes to which the proceeds of said proposed increase of capital stock are to be devoted appearing from the verified petition herein and from evidence at the hearing; it is

Ordered: That the increase of the capital stock of the South Brooklyn Railway Company from one hundred and fifty thousand dollars ($150,000) to five hundred thousand dollars ($500,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the unanimous consent of the stockholders of said company, according to the provisions of the Stock Corporation Law.

[Case No. 4045] VIII *May 15, 1907.*

In the matter of the Application of the CORTLAND COUNTY TRACTION COMPANY for approval of an increase of its capital stock from three hundred and twenty thousand dollars ($320,000) to one million dollars ($1,000,000).

Application having been made to this Board on May 6, 1907, by the Cortland County Traction Company, for approval of an increase of the capital stock of said company from three hundred and twenty thousand dollars ($320,000) to one million dollars ($1,000,000); and a hearing on said application having been held by this Board in the city of Albany on May 15, 1907, Parker, Hatch & Sheehan (Mr. Hatch and Mr. Cole appearing) appearing for the applicant; and certificates of the proceedings of the stockholders' meeting showing compliance with the provisions of the Stock Corporation Law in relation to said increase having been presented to this Board; and the purposes to which the proceeds of the said proposed increase of capital stock are to be devoted appearing from the affidavit of D. W. Van Hoesen herein; it is

Ordered: That the increase of the capital stock of the Cortland County Traction Company from three hundred and twenty thousand dollars ($320,000) to one million dollars ($1,000,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the stockholders' meeting, according to the provisions of the Stock Corporation Law.

[Case No. 4049] IX *May 15, 1907.*

In the matter of the Application of the DELAWARE AND SOUTHERN RAILROAD COMPANY for approval of an increase of its capital stock from one hundred and seventy thousand dollars ($170,000) to four hundred thousand dollars ($400,000).

Application having been made to this Board on May 9, 1907, by the Delaware and Southern Railroad Company, for approval of an increase of the capital stock of said company from one hundred and seventy thousand dollars ($170,000) to four hundred thousand dollars ($400,000); and a hearing on said application having been given before this Board in the city of Albany on May 15, 1907, H. D. Hinman appearing for the applicant, and certificates of the proceedings of the stockholders' meeting showing a compliance with the provisions of the Stock Corporation Law in relation to said increase of capital stock having been presented to this Board; and the purposes to which the proceeds of the said proposed increase of capital stock are to be devoted appearing from the affidavit of George H. Perigo herein; it is

Ordered: That the increase of the capital stock of the Delaware and Southern Railroad Company from one hundred and seventy thousand dollars ($170,000) to four hundred thousand dollars ($400,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the stockholders' meeting, according to the provisions of the Stock Corporation Law.

[Case No. 4076] X *May 22, 1907.*

In the matter of the Application of THE LEHIGH VALLEY RAILWAY COMPANY for approval of an increase of its capital stock from eleven million two hundred thousand dollars ($11,200,000) to thirteen million five hundred and forty-three thousand dollars ($13,543,000).

Application having been made to this Board on May 21, 1907, by The Lehigh Valley Railway Company for approval of an increase of the capital stock of said company from eleven million two hundred thousand dollars ($11,200,000) to thirteen million five hundred and forty-three thousand dollars ($13,543,000); and a hearing having been given on said application before this Board in the city of Albany on May 22d, Walter P. Cooke, appearing for the applicant; and certificates of the unanimous consent of stockholders of the company showing a compliance with the provisions of the Stock Corporation Law in relation to said increase of capital stock having been presented to this Board; and the purposes to which the proceeds of the said proposed increase of capital stock are to be devoted appearing from the verified petition and the affidavits of E. B. Thomas and Walter G. Berg herein; it is

Ordered: That the increase of the capital stock of The Lehigh Valley Railway Company from eleven million two hundred thousand dollars ($11,200,000) to thirteen million five hundred and forty-three thousand dollars ($13,543,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the unanimous consent of stockholders of said company to said increase of capital stock, according to the provisions of the Stock Corporation Law.

[Case No. 4043] XI *May 31, 1907.*

In the matter of the Application of the ROCHESTER, SYRACUSE AND EASTERN RAILROAD COMPANY for approval of an increase of its common capital stock from three million five hundred thousand dollars ($3,500,000) to six million dollars ($6,000,000), the total capital stock (preferred and common), with said increase, to amount to eight million five hundred thousand dollars ($8,500,000).

Application having been made to this Board on May 2, 1907, by the Rochester, Syracuse and Eastern Railroad Company, for approval of an increase of the common capital stock of said company from three million five hundred thousand dollars ($3,500,000) to six million dollars ($6,000,000), the total capital stock (preferred and common), with said increase, to amount to eight million five hundred thousand dollars ($8,500,000); and hearings having been given on said application before this Board in the city of New York on May 2, and May 31, and in the city of Albany on May 15, 1907, William Nottingham appearing for the applicant; and certificates of the unanimous consent of stockholders of said company to said increase of common capital stock showing a compliance with the provisions of the Stock Corporation Law in relation to said increase of common capital stock having been presented to this Board; and the purposes to which the proceeds of said proposed increase of the common capital stock of said company are to be devoted appearing from the affidavit of C. D. Beebe herein, and from evidence at the hearing on May 31st, it is

Ordered: That the increase of the common capital stock of the Rochester, Syracuse and Eastern Railroad Company from three million five hundred thousand dollars ($3,500,000) to six million dollars ($6,000,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the unanimous consent of the stockholders to said increase of common capital stock, according to the provisions of the Stock Corporation Law.

The total capital stock of the company (preferred and common), with the common capital stock increased from three million five hundred thousand dollars ($3,500,000) to six million dollars ($6,000,000), is eight million five hundred thousand dollars ($8,500,000).

[Case No. 4069] XII *May 31, 1907.*

In the matter of the Application of THE NEW YORK CONNECTING RAILROAD COMPANY for approval of an increase in its capital stock from one hundred thousand dollars ($100,000) to three million dollars ($3,000,000).

Application having been made to this Board on May 18, 1907, by The New York Connecting Railroad Company, for approval of an increase of the capital stock of said company from one hundred thousand dollars ($100,000) to three million dollars ($3,000,000); and a hearing on said application having been given before this Board in the city of New York on May 31, 1907, Edward M. Shepard appearing for the applicant; and certificates of the unanimous consent of the stockholders of the company showing a compliance with the provisions of the Stock Corporation Law in relation to said increase of capital stock having been presented to this Board; and the purposes to which the proceeds of the said proposed increase of capital stock are to be devoted appearing from the affidavit of Frank E. Haff herein; it is

Ordered: That the increase of the capital stock of The New York Connecting Railroad Company from one hundred thousand dollars ($100,000) to three million dollars ($3,000,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certifi-

cates of the unanimous consent of stockholders of said company to said increase of capital stock, according to the provisions of the Stock Corporation Law.

[Case No. 4110] XIII *June 18, 1907.*

In the matter of the Application of the UTICA AND MOHAWK VALLEY RAILWAY COMPANY for approval of an increase of its capital stock from six million two hundred and fifty thousand dollars ($6,250,000) to seven million five hundred thousand dollars ($7,500,000).

Application having been made to this Board on June 14, 1907, by the Utica and Mohawk Valley Railway Company, for approval of an increase of the capital stock of said company from six million two hundred and fifty thousand dollars ($6,250,000) to seven million five hundred thousand dollars ($7,500,000); and a hearing having been given on said application before this Board in the city of New York on June 14, 1907, F. K. Kernan, attorney, and C. Loomis Allen, general manager, of said company appearing for the applicant; and certificates of the proceedings of the stockholders' meeting showing a compliance with the provisions of the Stock Corporation Law in relation to said increase of capital stock having been presented to this Board; and the purposes to which the proceeds of the said proposed increase of capital stock of said company are to be devoted appearing from the affidavits of C. Loomis Allen and A. L. Linn, jr., herein; it is

Ordered: That the increase of the capital stock of the Utica and Mohawk Valley Railway Company from six million two hundred and fifty thousand dollars ($6,250,000) to seven million five hundred thousand dollars ($7,500,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the proceedings of the stockholders' meeting in relation to said increase of capital stock, according to the provisions of the Stock Corporation Law.

[Case No. 4095] XIV *June 26, 1907.*

In the matter of the Application of THE MINEOLA, ROSLYN AND PORT WASHINGTON TRACTION COMPANY for approval of an increase of its capital stock from one hundred and fifty thousand dollars ($150,000) to one million two hundred and fifty thousand dollars ($1,250,000).

Application having been made to this Board on June 11, 1907, by The Mineola, Roslyn and Port Washington Traction Company, for approval of an increase of the capital stock of said company from one hundred and fifty thousand dollars ($150,000) to one million two hundred and fifty thousand dollars ($1,250,000); and a hearing having been given on said application before this Board in the city of Albany on June 13, 1907, James A. MacElhinny appearing for the applicant; and certificates of the proceedings of the stockholders' meeting showing a compliance with the provisions of the Stock Corporation Law in relation to said proposed increase of capital stock having been presented to this Board; and the purposes to which the proceeds of the said proposed increase of capital stock of said company are to be devoted appearing from the verified petition and the affidavit of Charles S. Thrasher herein; it is

Ordered: That the increase of the capital stock of The Mineola, Roslyn and Port Washington Traction Company from one hundred and fifty thousand dollars ($150,000) to one million two hundred and fifty thousand dollars ($1,250,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the proceedings of the stockholders' meeting in relation to said increase of capital stock, according to the provisions of the Stock Corporation Law.

[Case No. 4111] XV *June 26, 1907.*

In the matter of the Application of the NEW YORK, AUBURN AND LANSING RAILROAD COMPANY for approval of an increase of its capital stock from four hundred thousand dollars ($400,000) to one million dollars ($1,000,000).

Application having been made to this Board on June 19, 1907, by the New York, Auburn and Lansing Railroad Company, for approval of an increase of the capital stock of said company from four hundred thousand dollars ($400,000) to one million dollars ($1,000,000); and a hearing having been given on said application before this Board in the city of Albany on June 26, 1907, Stuart M. Kohn appearing for the applicant; and certificates of the unanimous consent of stockholders of the company showing a compliance with the provisions of the Stock Corporation Law in relation to said proposed increase of capital stock having been presented to this Board; and the purposes to which the proceeds of the said proposed increase of capital stock are to be devoted appearing from the verified petition and the affidavit of Herbert A. Clarke herein; it is

Ordered: That the increase of the capital stock of the New York, Auburn and Lansing Railroad Company from four hundred thousand dollars ($400,000) to one million dollars ($1,000,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the unanimous consent of stockholders of said company to said increase of capital stock, according to the provisions of the Stock Corporation Law.

[Case No. 4100] XVI *June 28, 1907.*

In the matter of the Application of the DELAWARE AND EASTERN RAILWAY COMPANY for approval of an increase of its capital stock from one million two hundred thousand dollars ($1,200,000) to five million dollars ($5,000,000), and for consent to the issuance of a mortgage for six million five hundred thousand dollars ($6,500,000).

Application having been made to this Board on June 13, 1907, by the Delaware and Eastern Railway Company for approval of an increase of the capital stock of said company from one million two hundred thousand dollars ($1,200,000) to five million dollars ($5,000,000), and for consent to the issuance of a mortgage for six million five hundred thousand dollars ($6,500,000), both applications being in one petition; and a hearing having been given on said applications before this Board in the city of Albany on June 28, 1907, Edward J. Welch appearing for the applicant; and the purposes to which the said proposed increase of the capital stock of said company and the proceeds of the said proposed mortgage are to be devoted appearing from the verified petition and the affidavit of Harry M. George herein; and it appearing that the owners of the capital stock of said company to an amount equal to that required by the statute have consented to the said increase of the capital stock and to the issuance of said mortgage; it is

Ordered: That the increase of the capital stock of the Delaware and Eastern Railway Company from one million two hundred thousand dollars to five million dollars be and the same is hereby approved by this Board, and that indorsement of such approval be made upon the unanimous consent of the stockholders of said company to said increase of capital stock, according to the provisions of the Stock Corporation Law. It is further

Ordered: That this Board consents, and it does hereby consent, to the issuance by the Delaware and Eastern Railway Company of a mortgage for six million five hundred thousand dollars ($6,500,000).

[Case No. 4125] XVII *June 28, 1907.*

In the matter of the Application of the ONEIDA RAILWAY COMPANY for approval of an increase of its capital stock from fifteen thousand dollars ($15,000) to two million dollars ($2,000,000).

Application having been made to this Board on June 28, 1907, by the Oneida Railway Company, for approval of an increase of the capital stock of said company from fifteen thousand dollars ($15,000) to two million dollars ($2,000,000); and a hearing having been given on said application before this Board in the city of Albany on June 28, 1907, F. K. Kernan, attorney, and C. Loomis Allen, general manager, of said company appearing for the applicant; and certificates of the proceedings of the stockholders' meeting showing a compliance with the provisions of the Stock Corporation Law in relation to said increase of capital stock having been filed with this Board; and the purposes to which the proceeds of the said proposed increase of capital stock of said company are to be devoted appearing from evidence at said hearing and from the affidavits of C. Loomis Allen and A. L. Linn, jr., herein; it is

Ordered: That the increase of capital stock of the Oneida Railway Company from fifteen thousand ($15,000) to two million dollars ($2,000,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the proceedings of the stockholders' meeting in relation to said increase of capital stock, according to the provisions of the Stock Corporation Law.

[Case No. 4122] XVIII *June 28, 1907.*

In the matter of the Application of the ROCHESTER, SCOTTSVILLE AND CALEDONIA ELECTRIC RAILROAD COMPANY for approval of an increase of its capital stock from five hundred thousand dollars ($500,000) to two million five hundred thousand dollars ($2,500,000).

Application having been made to this Board on June 25, 1907, by the Rochester, Scottsville and Caledonia Electric Railroad Company, for approval of an increase of its capital stock from five hundred thousand dollars ($500,000) to two million five hundred thousand dollars ($2,500,000); and hearings on said application having been given by this Board in the city of Albany on June 25, 26 and 28, 1907, Merton E. Lewis and David C. Salyards appearing for the applicant; and certificates of the unanimous consent of stockholders of the company showing a compliance with the provisions of the Stock Corporation Law in relation to said increase of capital stock having been presented to this Board; and the purposes to which the proceeds of said proposed increased capital stock are to be devoted appearing from the affidavit of Le Grand Brown herein; it is

Ordered: That the increase of the capital stock of the Rochester, Scottsville and Caledonia Electric Railroad Company from five hundred thousand dollars ($500,000) to two million five hundred thousand dollars ($2,500,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the certificates of the unanimous consent of stockholders of said company to said increase, according to the provisions of the Stock Corporation Law.

APPLICATIONS FOR CONSENT TO ISSUE OF MORTGAGES.

[Case No. 3883] I *January 16, 1907.*

In the matter of the Application of the STEUBEN TRACTION COMPANY for consent to the issuance of a mortgage for five hundred thousand dollars ($500,000).

Application having been made to this Board on December 31, 1906, by the Steuben Traction Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a mortgage for five hundred thousand dollars ($500,000); and hearings having been given on said application before this Board in the city of Albany on January 9, and in the city of New York on January 16, 1907, Milo M. Acker appearing for the applicant; and the purposes for which the said mortgage is to be issued appearing from the verified petition herein, the affidavit of W. G. Kellogg herein, and from evidence at the hearings; and it appearing that the owners of the capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said mortgage; it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Steuben Traction Company of a mortgage for five hundred thousand dollars ($500,000).

[Case No. 3892] II *January 17, 1907.*

In the matter of the Application of the MALONE, FORT COVINGTON AND HOPKINS POINT RAILWAY COMPANY for consent of this Board to the issuance of a first mortgage for two hundred thousand dollars ($200,000).

Application having been made to this Board on January 9, 1907, by the Malone, Fort Covington and Hopkins Point Railway Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for two hundred thousand dollars ($200,000); and a hearing having been given on said application before this Board in the city of New York on January 17, 1907, W. F. Wenright appearing for the applicant; and the purposes to which the proceeds of said first mortgage are to be devoted appearing from the verified petition, and the affidavit of W. F. Wenright herein; and it appearing that the owners of capital stock of the company to an amout equal to that required by the statute have consented to the issuance of said first mortgage; it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Malone, Fort Covington and Hopkins Point Railway Company of a first mortgage for two hundred thousand dollars ($200,000).

[Case No. 3863] III *January 17, 1907.*

In the matter of the Application of the GENEVA, PHELPS AND NEWARK RAILROAD COMPANY for consent to the issuance of a first mortgage for seven hundred thousand dollars ($700,000).

Application having been made to this Board on December 18, 1906, by the Geneva, Phelps and Newark Railroad Company, under subdivision 10 of sec-

tion 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for seven hundred thousand dollars ($700,000); and a hearing having been given on said application by this Board in the city of Albany on January 9, 1907, L. G. Hoskins appearing for the applicant; and the purposes to which the proceeds of said mortgage are to be devoted appearing from the affidavit of Stanley W. Hayes herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said first mortgage; it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Geneva, Phelps and Newark Railroad Company of a first mortgage for seven hundred thousand dollars ($700,000), on condition that but five hundred and fifty thousand dollars ($550,000) bonds under said first mortgage shall be issued under this consent; and on condition that before the remaining one hundred and fifty thousand dollars ($150,000) bonds under said first mortgage, or any portion of the said remaining one hundred and fifty thousand dollars ($150,000) bonds, shall be issued, application shall be made to this Board and this Board's consent received to the issuance of said remaining one hundred and fifty thousand dollars ($150,000) or any portion thereof under said first mortgage.

[Case No. 3864] IV *January 30, 1907.*

In the matter of the Application of the PUTNAM AND WESTCHESTER TRACTION COMPANY for consent to the issuance of a first mortgage for two hundred thousand dollars ($200,000).

Application having been made to this Board on December 18, 1906, by the Putnam and Westchester Traction Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for two hundred thousand dollars ($200,000); and a hearing having been given on said application before this Board in the city of New York on January 16, 1907, Parker, Hatch & Sheehan (Ashley T. Cole appearing) appearing for the applicant; and the purposes for which said first mortgage for two hundred thousand dollars ($200,000) is to be issued appearing from evidence at the hearing, and from the verified petition and the affidavit of Isaac W. Reynolds herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said first mortgage for two hundred thousand dollars ($200,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Putnam and Westchester Traction Company of a first mortgage for two hundred thousand dollars ($200,000).

[Case No. 3855] V *January 30, 1907.*

In the matter of the Application of the HUDSON RIVER AND EASTERN TRACTION COMPANY for consent to the issuance of a first mortgage for one million dollars ($1,000,000).

Application having been made to this Board on December 14, 1906, by the Hudson River and Eastern Traction Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for one million dollars ($1,000,000); and a hearing having been given on said application before this Board in the city of New York on January 16, 1907, Parker, Hatch & Sheehan (Ashley T. Cole appearing) appearing for the applicant; and the purposes for which said mortgage for one million dollars ($1,000,000) is to be issued appearing from evidence at the

hearing, and from the verified petition and the affidavit of F. A. Stratton herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said first mortgage for one million dollars ($1,000,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Hudson River and Eastern Traction Company of a first mortgage for one million dollars ($1,000,000).

[Case No. 3918] VI *February 7, 1907.*

In the matter of the Application of the SCHENECTADY AND MARGARETVILLE RAILROAD COMPANY for consent to the issuance of a first mortgage for four million five hundred thousand dollars ($4,500,000).

Application having been made to this Board on January 31, 1907, by the Schenectady and Margaretville Railroad Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for four million five hundred thousand dollars ($4,500,000); and a hearing having been given on said application before this Board in the city of New York on February 7, 1907, Welch, Heine & Fall (Mr. Welch appearing) appearing for the applicant; and the purposes for which said first mortgage for four million five hundred thousand dollars ($4,500,000) is to be issued appearing from evidence at the hearing, and from the verified petition and the affidavit of Otto F. Wagenhorst herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said first mortgage for four million five hundred thousand dollars ($4,500,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Schenectady and Margaretville Railroad Company of a first mortgage for four million five hundred thousand dollars ($4,500,000).

[Case No. 3919] VII *February 7, 1907.*

In the matter of the Application of the HANCOCK AND EAST BRANCH RAILROAD COMPANY for consent to the issuance of a first mortgage for one million dollars ($1,000,000).

Application having been made to this Board on January 31, 1907, by the Hancock and East Branch Railroad Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for one million dollars ($1,000,000); and a hearing having been given on said application before this Board in the city of New York on February 7, 1907, Welch, Heine & Fall (Mr. Welch appearing) appearing for the applicant; and the purposes for which said first mortgage for one million dollars ($1,000,000) is to be issued appearing from evidence at the hearing, and from the verified petition and the affidavit of Otto F. Wagenhorst herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said first mortgage for one million dollars ($1,000,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Hancock and East Branch Railroad Company of a first mortgage for one million dollars ($1,000,000).

[Case No. 3711] VIII *March 5, 1907.*

In the matter of the application of the ELMIRA WATER, LIGHT AND RAILROAD COMPANY for consent to the issuance of a first consolidated mortgage for five million dollars ($5,000,000).

Application having been made to this Board on March 5, 1907, by the Elmira Water, Light and Railroad Company, for consent to the modification by said company of its first consolidated mortgage for five million dollars ($5,000,000), the issuance of which was on September 19, 1906, consented to by the Board of Railroad Commissioners; and a hearing having been given on said application before this Board in the city of Albany on March 5, 1907, Parker, Hatch & Sheehan (Mr. Werner appearing) appearing for the applicant; it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the modification by the Elmira Water, Light and Railroad Company of its first consolidated mortgage for five million dollars ($5,000,000), by the substitution for paragraph "d" of subdivision 1 of article I as contained in the mortgage heretofore consented to by this Board of Railroad Commissioners, of the following, so that as changed it will read:

"d. $200,000 par value of bonds of Elmira and Seneca Lake Traction Company secured by first mortgage to The New York Trust Company of New York city as trustee, dated September 1, 1906. $200,000 consisting of 2,000 shares of the par value of $100 each of the capital stock of Elmira and Seneca Lake Traction Company."

And it is further

Ordered: That there be added at the end of the first paragraph of said subdivision 1 of article I, after "the following described bonds," the words "and shares of capital stock."

[Case No. 3962] IX *March 6, 1907.*

In the matter of the Application of the LEHIGH AND LAKE ERIE RAILROAD COMPANY for consent to issue a first mortgage for three million dollars ($3,000,000).

Application having been heretofore made to this Board by the Lehigh and Lake Erie Railroad Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said corporation of a first mortgage for three million dollars to the United States Mortgage and Trust Company, as trustee, to secure the payment of an issue of fifty-year, four and one-half per cent. (4½%) gold bonds of said corporation; and a hearing having been given on said application before this Board on this date; and Walter P. Cooke, esq., appearing for the applicant; and the purposes for which said mortgage is to be issued appearing from the verified petition, and the affidavits of E. B. Thomas herein; and it appearing that the owners of the capital stock of the company to an amount equal to that required by the statute having consented to the issuance of said mortgage; it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the said the Lehigh and Lake Erie Railroad Company of a first mortgage for three million dollars ($3,000,000), to be dated March 1, 1907, and to be given to the United States Mortgage and Trust Company, as trustee, to secure the payment of an issue of bonds to the aggregate amount of three million dollars ($3,000,000). The first mortgage hereby consented to by this Board is to retire and take the place of a first mortgage of said company for three million dollars ($3,000,000) consented to by this Board June 28, 1905, which mortgage is to be satisfied and the bonds issued under which mortgage are to be retired and canceled as shown by the papers in this case.

[Case No. 3938] X *March 22, 1907.*

In the matter of the Application of the WHITEHALL AND GRANVILLE RAILROAD COMPANY for consent to the issuance of a first mortgage for seven hundred thousand dollars ($700,000.)

Application having been made to this Board on February 15, 1907, by the Whitehall and Granville Railroad Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for seven hundred thousand dollars ($700,000); and a hearing having been given on said application before this Board in the city of Albany on March 22, 1907, N. R. Holmes appearing for the applicant; and the purposes for which said first mortgage for seven hundred thousand dollars ($700,000) is to be issued appearing from evidence at the hearing, and the affidavits of Frank B. Gridley and Charles I. Baker herein; and it appearing that the owners of capital stock to an amount equal to that required by the statute have consented to the issuance of said first mortgage for seven hundred thousand dollars ($700,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Whitehall and Granville Railroad Company of a first mortgage for seven hundred thousand dollars ($700,000).

[Case No. 2481] XI *March 22, 1907.*

In the matter of the Application of the WHITEHALL AND GRANVILLE RAILROAD COMPANY for a cancellation of the order of this Board, dated July 2, 1901, consenting to the issuance by said company of a mortgage for four hundred thousand dollars ($400,000).

This application by the Whitehall and Granville Railroad Company was filed with this Board February 28, 1907. It asks that the order of this Board, dated July 2, 1901, consenting to the issuance by the Whitehall and Granville Railroad Company of a mortgage for four hundred thousand dollars ($400,000), be canceled. The petition sets forth that said mortgage has not been issued. The reason for asking this cancellation is that petitioner had pending an application for consent to the issuance of another mortgage for seven hundred thousand dollars ($700,000), which application was granted by this Board on this date, and which reason appeared at a hearing on said application before this Board in the city of Albany on March 22, 1907, at which N. R. Holmes appeared for the applicant; it is

Ordered: That the order of this Board, dated July 2, 1901, consenting to the issuance by the Whitehall and Granville Railroad Company of a mortgage for four hundred thousand dollars ($400,000), be and the same is hereby canceled, and that this order be filed in the offices of record in which a consent of this Board, dated March 22, 1907, to the issuance of a first mortgage by the Whitehall and Granville Railroad Company for seven hundred thousand dollars ($700,000), shall be filed, and proof of such filing of this order shall be filed with this Board.

[Case No. 3985] XII *April 4, 1907.*

In the matter of the Application of the WEST SHORE TRACTION COMPANY for approval of an increase of its capital stock from two hundred and fifty thousand dollars ($250,000) to five hundred thousand dollars ($500,000), and for consent to the issuance of a first mortgage for nine hundred thousand dollars ($900,000).

Application having been made to this Board on March 20, 1907, by the West Shore Traction Company, for approval of an increase of its capital stock

from two hundred and fifty thousand dollars ($250,000) to five hundred thousand dollars ($500,000), and for consent to the issuance of a first mortgage for nine hundred thousand dollars ($900,000), both applications being in one petition; and a hearing having been given on said applications before this Board in the city of New York on April 4, 1907, Edward J. Welch appearing for the applicant; and the purposes to which the said proposed increase of the capital stock of said company and the proceeds of the said mortgage are to be devoted appearing from the verified petition and the affidavit of Matthew S. Welch herein; and it appearing that the owners of the capital stock of said company to an amount equal to that required by the statute have consented to the said increase of the capital stock and to the issuance of said mortgage; it is

Ordered: That the increase of the capital stock of the West Shore Traction Company from two hundred and fifty thousand dollars ($250,000) to five hundred thousand dollars ($500,000) be and the same is hereby approved by this Board; and that indorsement of such approval be made upon the unanimous consent of the stockholders of said company to said increase of capital stock, according to the provisions of the Stock Corporation Law. It is further

Ordered: That this Board consents, and it does hereby consent, to the issuance by the West Shore Traction Company of a first mortgage for nine hundred thousand dollars ($900,000).

[Case No. 4009] XIII *April 4, 1907.*

In the matter of the Application of the ELMIRA, CORNING AND WAVERLY RAILWAY for consent to the issuance of a first mortgage for five million dollars ($5,000,000).

Application having been made to this Board on April 4, 1907, by the Elmira, Corning and Waverly Railway, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for five million dollars ($5,000,000); and a hearing having been given on said application by this Board in the city of New York on said date, W. L. Marcy appearing for the applicant; and the purposes to which the proceeds of said mortgage are to be devoted appearing from the affidavits of F. E. Ramsen, J. A. Powers, and George S. Leavenworth herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said mortgage; it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Elmira, Corning and Waverly Railway of a first mortgage for five million dollars ($5,000,000), on condition that but one million five hundred thousand dollars ($1,500,000) bonds shall be issued under said mortgage under this consent; and on condition that before the remaining three million five hundred thousand dollars ($3,500,000) bonds or any part thereof shall be issued, the company shall apply for and receive the consent of this Board to the issuance of said remaining three million five hundred thousand dollars ($3,500,000) bonds or any portion thereof.

[Case No. 4026] XIV *April 30, 1907.*

In the matter of the Application of the SYRACUSE AND SOUTH BAY ELECTRIC RAILROAD COMPANY for consent to the issuance of a first mortgage for one million dollars ($1,000,000).

Application having been made to this Board on April 16, 1907, by the Syracuse and South Bay Electric Railroad Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance of a first mort-

gage for one million dollars ($1,000,000); and a hearing having been given on said application before this Board in the city of Albany on April 16, 1907, William Nottingham appearing for the applicant; and the purposes for which said mortgage for one million dollars ($1,000,000) is to be issued appearing from the affidavit of Charles A. Lux herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said first mortgage for one million dollars ($1,000,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Syracuse and South Bay Electric Railroad Company of a first mortgage for one million dollars ($1,000,000).

[Case No. 4016] XV *April 30, 1908.*

In the matter of the Application of BUFFALO, ROCHESTER AND PITTSBURGH RAILWAY COMPANY for consent to the execution and delivery of a mortgage or deed of trust to the Central Trust Company of New York, as trustee, securing an issue of consolidated mortgage bonds to the aggregate amount of thirty-five million dollars ($35,000,000).

Application having been made to this Board on April 10, 1907, by the Buffalo, Rochester and Pittsburgh Railway Company, under subdivision 10 of section 4 of the Railroad Law, for consent to issue a mortgage or deed of trust, executed by said railway company to the Central Trust Company of New York, and securing an issue of consolidated mortgage bonds to the aggregate amount of thirty-five million dollars ($35,000,000); and a hearing having been given on said application by this Board in the city of Buffalo, New York, on said date, Arthur G. Yates, president, James S. Havens and John S. Rockwell, attorneys, appearing for the application; and the purposes to which the proceeds of said mortgage are to be devoted appearing from the petition, and the affidavits of John F. Dinkey and Jacob M. Floesch, attached to the petition herein, and from the testimony of the said John F. Dinkey and Jacob M. Floesch given before this Board at the said hearing; and it appearing that the owners of the capital stock of the company to an amount equal to that required by the statute have consented to the issue of said mortgage, which consent is in writing; it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, that the Buffalo, Rochester and Pittsburgh Railway Company issue a mortgage executed to the Central Trust Company of New York, as trustee, to secure an issue of consolidated mortgage bonds to the aggregate amount of thirty-five million dollars ($35,000,000), bearing interest at the rate of not exceeding four and one-half per cent. per annum.

And the said Board of Railroad Commissioners does hereby consent to the immediate issue, certification, and delivery of said consolidated mortgage bonds to the amount of three million dollars ($3,000,000), par value, as provided for in section 2, article I of said mortgage; and to the further issue and certification and delivery of said consolidated mortgage bonds to the amount of eighteen million one hundred forty-five thousand dollars ($18,145,000), for the purposes and at the times provided for in section 3 of article I of said mortgage; and on condition that before the remaining thirteen million eight hundred and fifty-five thousand dollars ($13,855,000) of the bonds authorized to be issued under said mortgage or any part thereof shall be issued, the company shall apply for and receive the consent of the Board of Railroad Commissioners or its successor to the issue of said bonds.

[Case No. 4034] XVI *May 8, 1907.*

In the matter of the Application of the BENNINGTON AND NORTH ADAMS STREET RAILWAY COMPANY (a consolidation of the Bennington and Hoosick Valley Railway Company and the Bennington and North Adams Street Railway Company) for consent to the issuance of a mortgage for four hundred and fifty thousand dollars ($450,000).

Application having been made to this Board on April 29, 1907, by the Bennington and North Adams Street Railway Company (a consolidation of the Bennington and Hoosick Valley Railway Company and the Bennington and North Adams Street Railway Company), under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a mortgage for four hundred and fifty thousand dollars ($450,000); and a hearing having been given on said application before this Board in the city of Albany on May 8, 1907, George W. Greene and H. W. Ely appearing for the applicant; and the purposes for which the said mortgage is to be issued appearing from the verified petition and at the hearing; and it appearing that the owners of the capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said mortgage; it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Bennington and North Adams Street Railway Company of a mortgage for four hundred and fifty thousand dollars ($450,000), on condition that the mortgage now authorized of the Bennington and Hoosick Valley Railway Company for two hundred and fifty thousand dollars ($250,000) be canceled, and the bonds now outstanding thereunder, namely: one hundred and eighty-two thousand dollars ($182,000), be canceled, and proof of such cancellation of said mortgage and said bonds be filed with this Board on or before Friday, May 31, 1907.

[See modified order next following.]

[Case No. 4034] XVII *May 28, 1907.*

In the matter of the Application of the BENNINGTON AND NORTH ADAMS STREET RAILROAD COMPANY for a modification of the determination of this Board dated May 8, 1907, in the application of said company for consent to the issuance of a mortgage for four hundred and fifty thousand dollars ($450,000).

On May 8, 1907, this Board determined, in the matter of the application of the Bennington and North Adams Street Railway Company (a consolidation of the Bennington and Hoosick Valley Railway Company and the Bennington and North Adams Street Railway Company) for consent to the issuance of a mortgage for four hundred and fifty thousand dollars ($450,000), as follows:

"*Ordered*: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Bennington and North Adams Street Railway Company of a mortgage for four hundred and fifty thousand dollars ($450,000), on condition that the mortgage now authorized of the Bennington and Hoosick Valley Railway Company for two hundred and fifty thousand dollars ($250,000) be canceled, and the bonds now outstanding thereunder, namely: one hundred and eighty-two thousand dollars ($182,000), be canceled, and proof of such cancellation of said mortgage and said bonds be filed with this Board on or before Friday, May 31, 1907."

H. W. Ely, representing the company, appeared before this Board on May 22d and 28th and stated that the company is unable to now procure thirty-five hundred dollars ($3,500) of the bonds of the Bennington and Hoosick Valley Railway Company referred to in the above quoted order, and

that, therefore, proof of the cancellation of said bonds could not be filed with this Board on or before Friday, May 31, 1907. Mr. Ely stated that the owner of two thousand dollars ($2,000) of said Bennington and Hoosick Valley Railway Company bonds is in Europe, and that fifteen hundred dollars ($1,500) of said Bennington and Hoosick Valley Railway Company bonds can not be located. Under these circumstances, this Board has determined to modify its said order, above quoted, of May 8, 1907, and it is hereby modified so that it shall read as follows:

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Bennington and North Adams Street Railway Company of a mortgage for four hundred and fifty thousand dollars ($450,000); on the condition, however, that on June 15, 1907 the Bennington and North Adams Street Railway Company files proof with the Board of Railroad Commissioners that it has canceled and discharged all outstanding bonds heretofore issued that are a charge against said company, except bonds amounting at par to thirty-five hundred dollars ($3,500), and that the company retain bonds to the amount of five thousand dollars ($5,000), such bonds not to be issued until the said thirty-five hundred dollars ($3,500) of previously issued bonds are paid, canceled, and discharged, and the previous mortgage is canceled and discharged.

[See determination immediately preceding. The company filed with the Board proof of compliance with the terms of this order.]

[Case No. 4039] XVIII *May 8, 1907.*

In the matter of the Application of the SOUTH BROOKLYN RAILWAY COMPANY for consent to the issuance of a mortgage for four million dollars ($4,000,000).

Application having been made to this Board on April 29, 1907, by the South Brooklyn Railway Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a mortgage for four million dollars ($4,000,000); and a hearing having been given on said application before this Board in the city of New York on May 2, 1907, T. S. Williams, vice-president, and George D. Yeomans, attorney, appearing for the applicant; and the purposes to which the proceeds of said mortgage are to be devoted appearing from the verified petition herein and from evidence at the hearing; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said mortgage for four million dollars ($4,000,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the South Brooklyn Railway Company of a mortgage for four million dollars ($4,000,000).

[Case No. 4040] XIX *May 8, 1907.*

In the matter of the Application of the SEA BEACH RAILWAY COMPANY for consent to the issuance of a mortgage for two million dollars ($2,000,000).

Application having been made to this Board on April 29, 1907, by the Sea Beach Railway Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a mortgage for two million dollars ($2,000,000); and a hearing having been given on said application before this Board in the city of New York on May 2, 1907, T. S. Williams, vice-president, and George D. Yeomans, attorney, appearing for the applicant; and the purposes to which the proceeds of said mortgage are to

be devoted appearing from the verified petition herein and from evidence at the hearing; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said mortgage for two million dollars ($2,000,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Sea Beach Railway Company of a mortgage for two million dollars ($2,000,000).

[Case No. 4041] XX *May 8, 1907.*

In the matter of the Application of the CANARSIE RAILROAD COMPANY for consent to the issuance of a mortgage for two million dollars ($2,000,000).

Application having been made to this Board on April 29, 1907, by the Canarsie Railroad Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a mortgage for two million dollars ($2,000,000); and a hearing having been given on said application before this Board in the city of New York on May 2, 1907, T. S. Williams, vice-president, and George D. Yeomans, attorney, appearing for the applicant; and the purposes to which the proceeds of said mortgage are to be devoted appearing from the verified petition herein and from evidence at the hearing; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said mortgage for two million dollars ($2,000,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Canarsie Railroad Company of a mortgage for two million dollars ($2,000,000).

[Case No. 4048] XXI *May 8, 1907.*

In the matter of the Application of THE NIAGARA GORGE RAILROAD COMPANY for consent to the issuance of a mortgage for one million dollars ($1,000,000).

Application having been made to this Board on May 8, 1907, by The Niagara Gorge Railroad Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a mortgage for one million dollars ($1,000,000); and a hearing having been given on said application before this Board in the city of Albany on May 8, 1907, Herbert P. Bissell appearing for the applicant; and the purposes for which said mortgage for one million dollars ($1,000,000) is to be issued appearing from the verified petition herein; it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by The Niagara Gorge Railroad Company of a mortgage for one million dollars ($1,000,000).

[Case No. 4050] XXII *May 15, 1907.*

In the matter of the Application of the DELAWARE AND SOUTHERN RAILROAD COMPANY for consent to the issuance of a first mortgage for four hundred thousand dollars ($400,000).

Application having been made to this Board on May 9, 1907, by the Delaware and Southern Railroad Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first

mortgage for four hundred thousand dollars ($400,000); and a hearing having been given on said application before this Board in the city of Albany on May 15, 1907, H. D. Hinman appearing for the applicant; and the purposes for which said first mortgage for four hundred thousand dollars ($400,000) is to be isused appearing from the affidavit of George H. Perigo herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said first mortgage for four hundred thousand dollars ($400,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Delaware and Southern Railroad Company of a first mortgage for four hundred thousand dollars ($400,000).

[Case No. 4051] XXIII *May 15, 1907.*

In the matter of the Application of the CORTLAND AND AUBURN RAILROAD COMPANY for consent to the issuance of a first mortgage for one million dollars ($1,000,000).

Application having been made to this Board on May 9, 1907, by the Cortland and Auburn Railroad Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for one million dollars ($1,000,000); and a hearing having been given on said application before this Board in the city of Albany on May 15, 1907, L. L. Waters appearing for the applicant; and the purposes for which said first mortgage for one million dollars ($1,000,000) is to be issued appearing from evidence at the hearing, and from the affidavit of N. A. Bundy herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said first mortgage for one million dollars ($1,000,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Cortland and Auburn Railroad Company of a first mortgage for one million dollars ($1,000,000).

[Case No. 4047] XXIV *May 15, 1907.*

In the matter of the Application of the UTICA SOUTHERN RAILROAD COMPANY for consent to the issuance of a first mortgage for seven hundred and eighty thousand dollars ($780,000).

Application having been made to this Board on May 6, 1907, by the Utica Southern Railroad Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for seven hundred and eighty thousand dollars ($780,000); and a hearing having been given on said application before this Board in the city of Albany on May 15, 1907, Risley & Love (Mr. Risley appearing) appearing for the applicant; and the purposes for which said first mortgage for seven hundred and eighty thousand dollars ($780,000) is to be issued appearing from evidence at the hearing, and from the affidavit of Frank K. Baxter herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said first mortgage for seven hundred and eighty thousand dollars ($780,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Utica Southern Railroad Company of a first mortgage for seven hundred and eighty thousand dollars ($780,000).

[Case No. 4046] XXV *May 15, 1907.*

In the matter of the application of the CORTLAND COUNTY TRACTION COMPANY for consent to the issuance of a first and refunding mortgage for two million dollars ($2,000,000).

Application having been made to this Board on May 6, 1907, by the Cortland County Traction Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first and refunding mortgage for two million dollars ($2,000,000); and a hearing having been given on said application before this Board in the city of Albany on May 15, 1907, Parker, Hatch & Sheehan (Mr. Hatch and Mr. Cole appearing) appearing for the applicant; and the purposes for which said first and refunding mortgage for two million dollars ($2,000,000) is to be issued appearing from the affidavit of D. W. Van Hoesen herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said first and refunding mortgage for two million dollars ($2,000,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Cortland County Traction Company of a first and refunding mortgage for two million dollars ($2,000,000).

[Case No. 3368] XXVI *May 15, 1907.*

In the matter of the cancellation of the order of the Board of Railroad Commissioners dated June 28, 1905, in the Application of the BUFFALO, BATAVIA AND ROCHESTER ELECTRIC RAILWAY COMPANY for consent to the issuance of a first mortgage for three million five hundred thousand dollars ($3,500,000).

On June 28, 1905, this Board consented to the issuance by the Buffalo, Batavia and Rochester Electric Railway Company of a first mortgage for three million five hundred thousand dollars ($3,500,000), the said consent being as follows:

"Before the Board of Railroad Commissioners of the State of New York, at the Capitol, Albany, June 28, 1905.

"*Present:* Com. George W. Dunn, Com. Frank M. Baker, Com. Joseph M. Dickey, Com. George W. Aldridge.

"In the matter of the Application of the Buffalo, Batavia and Rochester Electric Railway Company for consent to the issuance of a first mortgage for three million five hundred thousand dollars ($3,500,000).

"Application having been made to this Board on June 22, 1905, by the Buffalo, Batavia and Rochester Electric Railway Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for three million five hundred thousand dollars ($3,500,000); and a hearing having been given on said application before this Board in the city of Auburn on June 28, 1905, George L. Lewis appearing for the applicant; and the purposes to which the proceeds of said first mortgage are to be devoted appearing from the verified petition and the affidavit of George R. Sikes herein; and it appearing that the owners of capital stock of said company to an amount equal to that required by the statute have consented to the issuance of said first mortgage, and there having been filed with this Board on June 28 a supplementary petition by the applicant to the effect that upon the issuance of this mortgage one hundred and seventeen thousand five hundred dollars ($117,500) of bonds thereunder will be used for the purpose of retiring all of the bonds issued by the Buffalo and Williamsville Electric Railway Company under a first mortgage for three million five hundred thousand dollars ($3,500,000) consented to by this Board on May 24, 1904, and that the said first mortgage of the Buffalo and Williamsville Electric Railway Company will be discharged of record and the said amount of one hundred and seventeen thousand five hundred dollars ($117,500) of bonds issued thereunder canceled — this applicant, the Buffalo, Batavia and Rochester Electric Railway Company, stating that because of the ownership interests in it being substantially the same as the ownership interests in the Buffalo and Williamsville Electric Railway Company, it is enabled to exchange one hundred and seventeen thousand five hundred dollars ($117,500) of the bonds to be issued under this mortgage for the one hundred and seventeen thousand five hundred dollars ($117,500) bonds issued

under the said Buffalo and Williamsville Electric Railway Company mortgage, and to procure the discharge of the said mortgage of the Buffalo and Williamsville Electric Railway Company and the cancellation of the said one hundred and seventeen thousand five hundred dollars ($117,500) bonds of the Buffalo and Williamsville Electric Railway Company, it is

"*Ordered:* That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Buffalo, Batavia and Rochester Electric Railway Company of a first mortgage for three million five hundred thousand dollars ($3,500,000) on condition that the said Buffalo and Williamsville Electric Railway Company first mortgage for three million five hundred thousand dollars ($3,500,000) consented to by this Board on May 24, 1904, shall be discharged, after this first mortgage hereby consented to shall have been recorded, and on condition that the said one hundred and seventeen thousand five hundred dollars ($117,500) bonds issued under said Buffalo and Williamsville Electric Railway Company first mortgage shall be canceled after this first mortgage hereby consented to shall have been recorded.

"By the Board,

[SEAL] "(Signed) E. C. McENTEE,
"*Assistant Secretary.*"

The Buffalo and Williamsville Electric Railway Company first mortgage for three million five hundred thousand dollars ($3,500,000) consented to by this Board on May 24, 1904, and referred to in the above order of June 28, 1905, has not been discharged, nor have the one hundred and seventeen thousand five hundred dollars ($117,500) bonds issued under said Buffalo and Williamsville Electric Raiway Company first mortgage been canceled. Since June 28, 1905, the Buffalo, Batavia and Rochester Electric Railway Company has been called before this Board at various times to explain why the said Buffalo and Williamsville Electric Railway Company mortgage for three million five hundred thousand dollars ($3,500,000), and the one hundred and seventeen thousand five hundred dollars ($117,500) bonds issued thereunder, have not been canceled, the last time being on May 15, 1907, when George L. Lewis appeared for the Buffalo, Batavia and Rochester Electric Railway Company. No satisfactory reason has been given by the Buffalo, Batavia and Rochester Electric Railway Company for failure to comply with the conditions of the order of June 28, 1905, as to the discharge and cancellation of the said mortgage and bonds of the Buffalo and Williamsville Electric Railway Company. It is, therefore,

Ordered: That the Board of Railroad Commissioners cancel, and it does hereby cancel, its order of June 28, 1905, quoted above, in the matter of the application of the Buffalo, Batavia and Rochester Electric Railway Company for consent to the issuance of a first mortgage for three million five hundred thousand dollars ($3,500,000). It is further

Ordered: That this cancellation order of May 15, 1907, shall be filed and recorded in the clerks' offices of Erie, Genesee, and Monroe counties.

The Board caused duplicate originals of this order to be filed and recorded in the clerks' offices of Erie, Genesee, and Monroe counties.

[Case No. 4079] XXVII *May 23, 1907.*

In the matter of the Application of the GENESEE RIVER RAILROAD COMPANY for consent to the issuance of a first mortgage for six million dollars ($6,000,000).

Application having been made to this Board on May 23, 1907, by the Genesee River Railroad Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for six million dollars ($6,000,000); and a hearing having been given on said application before this Board in the city of New York on May 23d, G. N. Orcutt appearing for the applicant; and the purposes for which said first mortgage for six million dollars ($6,000,000) is to be issued appearing from the affidavits herein of Francis Lee Stuart and Joseph M. Graham; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said first mortgage for six million dollars ($6,000,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Genesee River Railroad Company of a first mortgage for six million dollars ($6,000,000).

[Case No. 3249] XXVIII *June 5, 1907.*

In the matter of the Application of the NEW YORK, ONTARIO AND WESTERN RAILROAD COMPANY for consent to the issuance of one million nine hundred and forty-eight thousand dollars ($1,948,000) additional bonds under a mortgage for twelve ($12,000,000) consented to by this Board on November 30, 1904.

On November 30, 1904, this Board consented to the issuance by the New York, Ontario and Western Railway Company of a mortgage for twelve million dollars ($12,000,000), a provision of said order being:

"It is further ordered that said company make application to this Board for its approval, before issuing any bonds under said mortgage beyond the amount of two millions of dollars, which it is proposed to issue thereunder forthwith, and that any such application may be made at any time or times and in regard to all the remainder of said bonds or any portion or portions thereof."

On June 3, 1907, the company filed with this Board an application asking consent to the issuance of one million nine hundred and forty-eight thousand dollars ($1,948,000) additional bonds under said mortgage for twelve million dollars ($12,000,000), the verified petition setting forth in detail the purposes for which the proceeds of said additional one million nine hundred and forty-eight thousand dollars ($1,948,000) bonds are to be used, viz.: construction and equipment already made. In view of the statements in this verified petition, this Board feels justified in consenting to the issuance of these additional one million nine hundred and forty-eight thousand dollars ($1,948,000) bonds. It is, therefore,

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the New York, Ontario and Western Railway Company of one million nine hundred and forty-eight thousand dollars ($1,948,000) bonds under a mortgage for twelve million dollars ($12,000,000) of said company consented to by this Board on November 30, 1904. Thus leaving eight million fifty-two thousand dollars ($8,052,000) bonds under said mortgage for twelve million dollars ($12,000,000) consent to the issuance of which has not yet been given by this Board.

[Case No. 3834] XXIX *June 5, 1907.*

In the matter of the Application of the WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY for consent to the issuance of three hundred thousand dollars ($300,000) additional bonds under a first and refunding mortgage for five million dollars ($5,000,000) consented to by this Board December 18, 1906.

On December 18, 1906, this Board consented to the issuance by the Western New York and Pennsylvania Traction Company of a first and refunding mortgage for five million dollars ($5,000,000), on condition that but two million five hundred thousand dollars ($2,500,000) bonds under said first and refunding mortgage should be issued under said consent, and on condition that before the remaining two million five hundred thousand dollars ($2,500,000) bonds under said first and refunding mortgage or any portion of the said remaining two million five hundred thousand dollars ($2,500,000) bonds should be issued, application should be made to this Board and this Board's consent received to the issuance of said remaining two million five hundred

thousand dollars ($2,500,000) bonds or any portion thereof. On May 31, 1907, the company filed with this Board an application asking consent to the issuance of three hundred thousand dollars ($300,000) bonds of said remaining two million five hundred thousand dollars ($2,500,000) bonds under said first and refunding mortgage for five million dollars ($5,000,000); and a hearing in the matter was given by this Board in the city of Albany on June 5, 1907, at which Joseph L. Page appeared for the applicant. After hearing arguments, the hearing was closed. It appears from the affidavit verified June 4, 1907, of Wilson R. Page herein, that the proceeds of said additional three hundred thousand dollars ($300,000) bonds are to be used for construction and equipment. In view of the statements in this affidavit, this Board feels justified in consenting to the issuance of these additional three hundred thousand dollars ($300,000) bonds. It is, therefore,

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Western New York and Pennsylvania Traction Company of three hundred thousand dollars ($300,000) additional bonds under a first and refunding mortgage for five million dollars ($5,000,000) of said company consented to by this Board December 18, 1906. Thus leaving two million two hundred thousand dollars ($2,200,000) bonds under said first and refunding mortgage consent to the issuance of which has not yet been given by this Board.

[Case No. 4090] XXX *June 5, 1907.*

In the matter of the Application of the CANANDAIGUA SOUTHERN ELECTRIC RAILROAD COMPANY for consent to the issuance of a first mortgage for two million dollars ($2,000,000).

Application having been made to this Board on June 4, 1907, by the Canandaigua Southern Electric Railroad Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for two million dollars ($2,000,000); and a hearing having been given on said application before this Board in the city of Albany on June 5, 1907, E. D. Hamlin appearing for the applicant; and the purposes for which said first mortgage for two million dollars ($2,000,000) is to be issued appearing from evidence at the hearing and from the affidavit of George H. Switzer herein; it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Canandaigua Southern Electric Railroad Company of a first mortgage for two million dollars ($2,000,000).

[Case No. 3124] XXXI *April 16, 1907.*

In the matter of the Application of the UNITED TRACTION COMPANY (of Albany) for consent of this Board to the issuance of an additional amount of five hundred thousand dollars ($500,000) in bonds under a mortgage for six million five hundred thousand dollars ($6,500,000) consented to by this Board May 10, 1904.

On May 10, 1904, this Board consented to the issuance by the United Traction Company of a mortgage for six million five hundred thousand dollars ($6,500,000), on condition that but five million one hundred and forty-one thousand dollars ($5,141,000) bonds should be issued under said mortgage under said consent, and on condition that said company before issuing the remaining one million three hundred and fifty-nine thousand dollars ($1,359,000) bonds or any part thereof, under said mortgage, should apply for and secure the further consent of this Board to such issuance of said one million three hundred and fifty-nine thousand dollars ($1,359,000) bonds

or any part thereof. On April 16, 1907, there was filed with this Board a petition of said company asking the consent of this Board to the issuance of five hundred thousand dollars ($500,000) bonds of the remaining one million three hundred and fifty-nine thousand dollars ($1,359,000) bonds under said mortgage for six million five hundred thousand dollars ($6,500,000); and a hearing on said application was held on said date before this Board in Albany, John E. MacLean, attorney, and E. S. Fassett, general manager, appearing for the company. It appears from the verified petition that the proceeds of said five hundred thousand dollars ($500,000) bonds are needed by the company for the purpose of partially providing for the payment of the cost of extensions of its lines, the acquisition of additional property, for additional construction, enlargement, and betterments, and for the payment of or on account of contracts actually entered into for such purposes. Under these circumstances, this Board believes that it is justified in consenting to the issuance of said five hundred thousand dollars ($500,000) additional bonds under said mortgage. It is, therefore,

Ordered: That the Board of Railroad Commissioners consents and it does hereby consent, to the issuance by the United Traction Company of five hundred thousand dollars ($500,000) bonds under a mortgage of said company for six million five hundred thousand dollars ($6,500,000) consented to by this Board May 10, 1904. Said consent of May 10, 1904, provided that but five million one hundred and forty-one thousand dollars ($5,141,000) bonds should be issued under said mortgage without the further consent of this Board, leaving remaining one million three hundred and fifty-nine thousand dollars ($1,359,000) bonds, consent to the issuance of which it was thereafter necessary to obtain from this Board. This order consenting to the issuance of five hundred thousand dollars ($500,000) bonds of said remaining one million three hundred and fifty-nine thousand dollars ($1,359,000) bonds, there now remains unissued eight hundred and fifty-nine thousand dollars ($859,000) bonds under said mortgage for six million five hundred thousand dollars ($6,500,000), which eight hundred and fifty-nine thousand dollars ($859,000) bonds or any part of which can not be issued without further application to this Board for consent to the issuance thereof.

[See determination immediately following.]

[Case No. 3124] XXXII *June 13, 1907.*

In the matter of the Application of the UNITED TRACTION COMPANY (of Albany) for consent of this Board to the issuance of the remaining eight hundred and fifty-nine thousand dollars ($859,000) bonds under a mortgage for six million five hundred thousand dollars ($6,500,000) consented to by this Board May 10, 1904.

On May 10, 1904, this Board consented to the issuance by the United Traction Company of a mortgage for six million five hundred thousand dollars ($6,500,000), on condition that but five million, one hundred and forty-one thousand dollars ($5,141,000) bonds should be issued under said mortgage under said consent, and on condition that said company before issuing the remaining one million three hundred and fifty-nine thousand dollars ($1,359,000) bonds or any part thereof under said mortgage should apply for and secure the further consent of this Board to such issuance of said one million three hundred and fifty-nine thousand dollars ($1,359,000) bonds or any part thereof. On April 16, 1907, this Board consented to the issuance by said company of five hundred thousand dollars ($500,000) additional bonds under said mortgage, leaving remaining unissued eight hundred and fifty-nine thousand dollars ($859,000) bonds under said mortgage, which, or any part of which, could not be issued without application to this Board for consent to the issuance thereof. On June 13, 1907, there was filed with this Board a petition of said company asking the consent of this Board to the issuance

of said remaining eight hundred and fifty-nine thousand dollars ($859,000) bonds under said mortgage; and a hearing on said application was held on said date before this Board in Albany, John E. MacLean, attorney, and E. S. Fassett, general manager, appearing for the company. It appears from the verified petition filed June 13, 1907, that the proceeds of said remaining eight hundred and fifty-nine thousand dollars ($859,000) bonds are needed by the company for the purpose of providing for the payment of the cost of extension of its lines, the acquisition of additional property for additional construction, enlargements, and betterments, and for the payment of or on account of contracts actually entered into or about to be entered into for such purposes. Under these circumstances, this Board believes that it is justified in consenting to the issuance of said remaining eight hundred and fifty-nine thousand dollars ($859,000) bonds under said mortgage. It is, therefore,

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the United Traction Company of the remaining eight hundred and fifty-nine thousand dollars ($859,000) bonds of bonds under said mortgage namely: six million five hundred thousand dollars ($6,500,000) consented to by this Board May 10, 1904, the total issue of bonds under said mortgage, namely: six million five hundred thousand dollars ($6,500,000) now having been consented to by this Board.

[See determination immediately preceding.]

[Case No. 4082] XXXIII *June 14, 1907.*

In the matter of the Application of the POUGHKEEPSIE CITY AND WAPPINGER'S FALLS ELECTRIC RAILWAY COMPANY for consent to the issuance of a mortgage for two hundred and fifty thousand dollars ($250,000).

Application having been made to this Board on May 28, 1907, by the Poughkeepsie City and Wappinger's Falls Electric Railway Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance of a mortgage for two hundred and fifty thousand dollars ($250,000); and a hearing having been given on said application in the city of New York on June 14, 1907, C. W. H. Arnold, attorney, and J. W. Hinkley, jr., president of the company, appearing for the applicant; and the purposes for which said mortgage for two hundred and fifty thousand dollars ($250,000) is to be issued appearing from the verified petition and the affidavit of J. W. Hinkley, jr., herein; and it appearing that the owners of capital stock of the company to the amount equal to that required by the statute have consented to the issuance of said mortgage for two hundred and fifty thousand dollars ($250,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the said Poughkeepsie City and Wappinger's Falls Electric Railway Company of a mortgage for two hundred and fifty thousand dollars ($250,000).

[Case No. 2872] XXXIV *June 18, 1907.*

In the matter of the Application of the ALBANY AND HUDSON RAILROAD COMPANY for consent of this Board to the issuance of additional one hundred thousand dollars ($100,000) bonds under a first mortgage of said company for two million dollars ($2,000,000) consented to by this Board on April 1, 1903.

On April 1, 1903, this Board consented to the issuance by the Albany and Hudson Railroad Company of a first mortgage for two million dollars ($2,000,000), on condition that but one million five hundred thousand dollars

($1,500,000) in bonds should be issued under said consent, and on condition that the company before issuing the remaining five hundred thousand dollars ($500,000) in bonds or any part thereof under said mortgage should apply for and secure the further consent of this Board. By order dated July 9, 1903, this Board consented to the issuance of one hundred and fifty thousand dollars ($150,000) additional bonds under said mortgage, and on February 24, 1904, this Board consented to the issuance of one hundred thousand dollars ($100,000) additional bonds under said mortgage, thus leaving two hundred and fifty thousand dollars ($250,000) bonds under said mortgage the issuance of which or any part thereof had not yet been consented to by this Board. On June 18, 1907, the said company filed with this Board an application asking for consent to the issuance of one hundred thousand dollars ($100,000) additional bonds under said mortgage, and a hearing on said application was given by this Board in the city of Albany on said date, Ashley T. Cole appearing for the company. This Board believes that it is justified in consenting to the issuance of said one hundred thousand dollars ($100,000) additional bonds under said mortgage. It is therefore,

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Albany and Hudson Railroad Company of one hundred thousand dollars ($100,000) additional bonds under a first mortgage for two million dollars ($2,000,000) of said company, the issuance of which was consented to in an order of this Board dated April 1, 1903, said order consenting to the issuance of said mortgage providing that but one million five hundred thousand dollars ($1,500,000) in bonds should be issued thereunder without further permission of this Board, and that before the issuance of the remaining five hundred thousand dollars ($500,000) bonds or any part thereof under said mortgage the company should apply for and secure the further consent of this Board thereto; and this Board, by orders dated July 9, 1903, and February 24, 1904, having consented to the issuance of two hundred and fifty thousand dollars ($250,000) bonds of said remaining five hundred thousand dollars ($500,000) bonds under said mortgage, there is thus left one hundred and fifty thousand dollars ($150,000) in bonds under said mortgage the issuance of which or any part thereof has not yet been consented to by this Board.

[Case No. 4088] XXXV *June 2, 1907.*

In the matter of the Application of the ITHACA STREET RAILWAY COMPANY for consent to the issuance of a mortgage for seven hundred and fifty thousand dollars ($750,000).

Application having been made to this Board on June 3, 1907, by the Ithaca Street Railway Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a mortgage for seven hundred and fifty thousand dollars ($750,000); and a hearing having been given on said application by this Board in the city of New York on June 6, 1907, Stuart M. Kohn appearing for the applicant; and the purposes for which said mortgage for seven hundred and fifty thousand dollars ($750,000) is to be issued appearing from the verified petition and affidavit of Herbert A. Clarke herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by statute have consented to the issuance of said mortgage for seven hundred and fifty thousand dollars ($750,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Ithaca Street Railway Company of a mortgage for seven hundred and fifty thousand dollars ($750,000).

[Case No. 4120] XXXVI *June 25, 1907.*

In the matter of the Application of the BUFFALO, GENESEE AND ROCHESTER RAILWAY COMPANY for consent to the issuance of a first mortgage for seven million five hundred thousand dollars ($7,500,000).

Application having been made to this Board on June 25, 1907, by the Buffalo, Genesee and Rochester Railway Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for seven million five hundred thousand dollars ($7,500,000); and a hearing having been given before this Board in the city of Albany on June 25, 1907, Herbert P. Bissell appearing for the applicant; and the purposes to which the proceeds of said mortgage are to be devoted appearing from the verified petition and the affidavit of George S. Minnis herein; and it appearing that the owners of the capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said mortgage; it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Buffalo, Genesee and Rochester Railway Company of a first mortgage for seven million five hundred thousand dollars ($7,500,000), on condition that but five million dollars ($5,000,000) bonds shall be issued under said mortgage under this consent; and on condition that before the remaining two million five hundred thousand dollars ($2,500,000) bonds or any part thereof shall be issued said company shall apply for and receive the consent of this Board to the issuance of said remaining two million five hundred thousand dollars ($2,500,000) bonds or any part thereof.

[Case No. 3059] XXXVII *June 25, 1907.*

In the matter of the Application of the GREENWICH AND JOHNSONVILLE RAILWAY COMPANY for consent to the issue of the additional one hundred thousand dollars ($100,000) of bonds under a first mortgage for five hundred thousand dollars ($500,000) consented to by this Board on January 6, 1904.

This Board having, on the 6th day of January, 1904, consented to the issuance by the Greenwich and Johnsonville Railway Company of a first mortgage for five hundred thousand dollars ($500,000), on condition that bonds for but four hundred thousand dollars ($400,000) should be issued under said consent, and that the said company, before issuing the remaining one hundred thousand dollars ($100,000) of bonds or any part thereof under said mortgage should apply for and secure the further consent of this Board to such issuance of said one hundred thousand dollars ($100,000) of bonds or any part thereof; and the said company having, on the 11th day of June, 1907, filed with this Board an application asking for consent to the issuance of the remaining one hundred thousand dollars ($100,000) in bonds; and a hearing in the matter having been given by this Board at its office in the city of Albany, on the 18th day of June, 1907, Lewis E. Carr appearing for the applicant; and after hearing arguments on the said application, and after reading and filing the petition herein, an affidavit of the financial condition of the said company, and an affidavit of the purposes to which the one hundred thousand dollars ($100,000) in bonds is to be devoted, viz.: construction and equipment; and it appearing to this Board that the application should be granted, it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Greenwich and Johnsonville Railway Company of the remaining one hundred thousand dollars ($100,000) in bonds under a first mortgage for five hundred thousand dollars ($500,000) issued

by said company, the issuance of which was consented to in an order of this Board dated January 6, 1904, said order consenting to the issuance of said mortgage, but providing that but four hundred thousand dollars ($400,000) in bonds should be issued thereunder without further permission of this Board.

[Case No. 4096] XXXVIII *June 26, 1907.*

In the matter of the Application of THE MINEOLA, ROSLYN AND PORT WASHINGTON TRACTION COMPANY for consent to the issuance of a first mortgage for one million dollars ($1,000,000).

Application having been made to this Board on June 11, 1907, by The Mineola, Roslyn and Port Washington Traction Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for one million dollars ($1,000,000); and a hearing having been given on said application before this Board in the city of Albany on June 13, 1907, James A. MacElhinny appearing for the applicant; and the purposes for which said first mortgage for one million dollars ($1,000,000) is to be issued appearing from the verified petition and the affidavit of Charles S. Thrasher herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said first mortgage for one million dollars ($1,000,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by The Mineola, Roslyn and Port Washington Traction Company of a first mortgage for one million dollars ($1,000,000).

[Case No. 4121] XXXIX *June 26, 1907.*

In the matter of the Application of the SUFFOLK TRACTION COMPANY for consent to the issuance of a first mortgage for one million two hundred thousand dollars ($1,200,000).

Application having been made to this Board on June 25, 1907, by the Suffolk Traction Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for one million two hundred thousand dollars ($1,200,000); and a hearing having been given on said application before this Board in the city of Albany on June 25, 1907, T. S. Williams appearing for the applicant; and the purposes for which said first mortgage for one million two hundred thousand dollars ($1,200,000) is to be issued appearing from the verified petition herein; and it appearing that the owners of capital stock of the company to an amount equal to that required by the statute have consented to the issuance of said first mortgage for one million two hundred thousand dollars ($1,200,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Suffolk Traction Company of a first mortgage for one million two hundred thousand dollars ($1,200,000).

Commissioner Dickey voted against the granting of this application.

[Case No. 4114] XL *June 28, 1907.*

In the matter of the Application of the HORNELL, BATH AND LAKE KEUKA RAILWAY COMPANY for consent to the issuance of a first mortgage for two million dollars ($2,000,000).

Application having been made to this Board on June 20, 1907, by the Hornell, Bath and Lake Keuka Railway Company, under subdivision 10 of section 4 of the Railroad Law, for consent to the issuance by said company of a first mortgage for two million dollars ($2,000,000); and a hearing having been given on said application by this Board in the city of Albany on June 28, 1907, Milo M. Acker appearing for the applicant; and the purposes for which the said first mortgage for two million dollars ($2,000,000) is to be issued appearing from the verified petition and the affidavit of David Allen Proctor herein; and it appearing that the owners of the capital stock of said company to an amount equal to that required by the statute have consented to the issuance of said first mortgage for two million dollars ($2,000,000); it is

Ordered: That the Board of Railroad Commissioners consents, and it does hereby consent, to the issuance by the Hornell, Bath and Lake Keuka Railway Company of a first mortgage for two million dollars ($2,000,000).

APPLICATIONS FOR CERTIFICATE UNDER SECTION 59 OF THE RAILROAD LAW.

[Case No. 3841] I *February 14, 1907.*

In the matter of the Application of the COOPERSTOWN AND NORTHERN RAILWAY COMPANY, for a certificate under section 59 of the Railroad Law.

On reading and filing the application of the Cooperstown and Northern Railway Company for a certificate under section 59 of the Railroad Law, dated December 4, 1907, the articles of association of said company and due proof of the publication thereof; and after public hearings on said application in the city of Albany on January 8, and January 29, 1907; Tilley Blakely and Henry L. Beach appearing for the applicant; Lynn J. Arnold appearing for property owners, in opposition; Joseph G. Dean appearing for the Utica and Mohawk Valley Railroad Company, in opposition; and after hearing evidence and arguments, and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the Cooperstown and Northern Railway Company, and that public convenience and a necessity require the construction of said applicant company's railroad as proposed in its said articles of association.

A writ of certiorari was served on the Board in this matter, and the return has been made.

[Case No. 3667] II *January 30, 1907.*

In the matter of the Application of the DELAWARE AND SOUTHERN RAILROAD COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the application of the Delaware and Southern Railroad Company for a certificate under section 59 of the Railroad Law, dated July 7, 1906, the amended articles of association of said company and due proof of the publication thereof; and after a public hearing on said application in the village of Deposit on September 4, 1906, C. E. Scott and H. D. Hinman appearing for the applicant, John B. Kerr appearing by telegram dated September 4, 1906, for the New York, Ontario and Western Railway Company in opposition, which opposition was subsequently withdrawn in a letter dated September 13, 1906, from John B. Kerr; and after hearing evidence and arguments, and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the Delaware and Southern Railroad Company, and that public convenience and a necessity require the construction of said applicant company's railroad as proposed in its said amended articles of association.

[Case No. 3820] III *March 5, 1907.*

In the matter of the Application of the WEST SHORE TRACTION COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the application of the West Shore Traction Company for a certificate under section 59 of the Railroad Law, dated November 20, 1906, the articles of association of said company and due proof of the publication thereof; and after public hearings on said application in the village of Nyack on December 13 and 27, 1906, and the city of New York on January 16, 17, 28, and February 7, 1907, and in the city of Albany on February 19, 1907, Welch, Heine & Fall appearing for the applicant; Charles W. Reeve, president. and Hoadly, Lauterbach & Johnson, attorneys, appearing for the Rockland County Traction Company, in opposition; Fred Joel Swift appearing for a property owner on Piermont avenue and Broadway in the village of Grand View, in opposition; White & Case appearing for the Rockland Railroad Company, in opposition; H. M. Andrews appearing for the Erie Railroad Company, in opposition; Amos Van Etten appearing for The New York Central and Hudson River Railroad Company in opposition to proposed manner of crossing the Rockland Lake branch of the West Shore railroad, lessor; Daniel B. Sherman appearing for the Board of Trustees of Grand View, and for property owners on Piermont avenue and Broadway in said village, in opposition; E. T. Lovatt appearing in opposition to the route in Grand View; Miss Duress Philmore appearing for the Nurses' Settlement of Grand View; Howard Van Buren appearing for property owners on Broadway, South Nyack, in opposition; J. K. McGee appearing for property owners on Piermont avenue, Piermont; Thomas H. Lee appearing for the Tompkins Cove Stone Company, a property owner, and Rutledge J. Odell, highway commissioner of the town of Stony Point; Sylvan Bier appearing for the Henry Street Settlement, a property owner in Grand View, in opposition; and after hearing evidence and arguments, and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the West Shore Traction Company, and that public convenience and a necessity require the construction of said applicant company's railroad as proposed in its said articles of association.

[Case No. 3776] IV *April 3, 1907.*

In the matter of the Application of the CORTLAND AND AUBURN RAILROAD COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the application of the Cortland and Auburn Railroad Company for a certificate under section 59 of the Railroad Law, dated October 24, 1906, the articles of association of said company and due proof of the publication thereof; and after public hearings on said application in the city of New York on December 12, 1906, and March 12, 1907, and in the city of Albany on January 9 and February 6, 1907; L. L. Waters appearing for the applicant; Walter P. Cooke appearing for the Lehigh Valley Railroad Company and the Lehigh and New York Railroad Company in opposition; W. P. Rudd appearing for The New York Central and Hudson River Railroad Company in opposition; and Hughes, Rounds & Schurman appearing for the Auburn and Syracuse Electric Railroad Company; and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the Cortland and Auburn Railroad Company, and that public convenience and a necessity require the construction of said applicant company's railroad as proposed in its said articles of association.

[Case No. 3448] V *April 3, 1907.*

In the matter of the Application of THE BUFFALO AND ROCHESTER TRACTION COMPANY for a certificate under section 59 of the Railroad Law.

Appearances:

Herbert P. Bissell for the applicant.

Pooley & Spratt for The New York Central and Hudson River Railroad Company, in opposition.

Moot, Sprague, Brownell & Marcy for the Erie Railroad Company, as to proposed crossings of said company's railroad by the applicant's railroad.

Frank Rumsey for the Pennsylvania Railroad Company, as to proposed crossings of said company's railroad by the applicant's railroad.

John S. Rockwell for the Buffalo, Rochester and Pittsburgh Railway Company, in opposition.

George L. Lewis and Loran L. Lewis, jr., for the Buffalo, Batavia and Rochester Electric Railway Company, in opposition.

Arthur E. Clark, a property owner in Batavia, in opposition.

Hearings: Buffalo, December 6, 1905; February 6, 1906; January 23, and February 14, 1907.

This application by The Buffalo and Rochester Traction Company for a certificate under section 59 of the Railroad Law, was filed with this Board on November 9, 1905, the applicant proposing to build a street surface railroad to be operated by electricity from the easterly line of the village of Depew (Buffalo) to the southerly line of the city of Rochester, a distance of 60.5 miles, in the counties of Erie, Genesee, Livingston, and Monroe, touching or passing through (beginning in Erie county) Looneyville (an unincorporated village), Millgrove (an unincorporated village), Crittenden (an unincorporated village), Corfu (an unincorporated village), West Batavia (an unincorporated village), Batavia (an incorporated village), Stafford (an unincorporated village), Leroy (an incorporated village), Lime Rock (an unincorporated village), Caledonia (an incorporated village), Mumford (an unincorporated village), Clifton (an unincorporated village), Chili Center (an unincorporated village), and Maplewood (an unincorporated village), near Rochester. Most of the line was proposed to be on private right of way.

Between Buffalo and Rochester there now exists the New York Central and Hudson River, the Erie, the Lehigh Valley, the Buffalo, Rochester and Pittsburgh, and the West Shore railroads. This Board has granted a certificate under section 59 of the Railroad Law to the Buffalo, Batavia and Rochester Electric Railway Company, which proposes to construct its railroad from Williamsville (Buffalo) along the main line of the New York Central to and through Batavia, to Rochester. From Depew to Batavia, the proposed route of the applicant's railroad is in the same territory as that of the electric railroad just referred to. From Batavia, the applicant's proposed route would leave the main line of the New York Central, and passing through Leroy, reach Rochester. There is now a branch of the New York Central railroad and a branch of the Erie railroad between Batavia and Leroy. Between Leroy and Rochester there is now the Buffalo, Rochester and Pittsburgh railway, direct line; and the Erie, New York Central, and the Lehigh Valley railroads, indirect lines. This Board has granted a certificate, under section 59 of the Railroad Law, to the Rochester, Scottsville and Caledonia Electric Railroad Company, which proposes to build an electric railroad between Rochester and Caledonia.

Those interested in this company, in 1905 were interested in the Buffalo and Rochester Railway Company, which applied to this Board for a certificate under section 59 of the Railroad Law, which certificate was refused on June 15, 1905. In the determination in said matter this Board said:

"After consideration of the testimony, which is voluminous, this Board believes that public convenience and a necessity do not require the construction of the applicant's proposed railroad. There is a public convenience and necessity to be served by an electric railroad from Buffalo to Batavia, and this will be served by the line of the Buffalo, Batavia and Rochester Electric Railway. From Batavia to Leroy, and from Leroy to Rochester, there is no public convenience and necessity to be served by the construction of the applicant's proposed railroad. This territory is now served by the steam railroads named, upon which more trains can be operated if the near future should demonstrate that they should be operated for the accommodation of the public."

Since this determination, the Rochester, Scottsville and Caledonia Electric Railroad Company, as stated, proposes to build between Rochester and Caledonia.

In the determination of June 15, 1905, this Board also said:

"While the question of public convenience and a necessity is controlling, and the Board finds that such convenience and a necessity do not exist, it is of some moment to consider that the applicant proposed to construct four-fifths of its railroad in public highways. Such a railroad would not only impose a burden on the highways, but the operation of cars at high rates of speed which would follow, its construction would be dangerous to other travel on the highway with little resulting benefit to the public. The Buffalo, Batavia and Rochester Electric Railway is to be constructed for the most part on private right of way."

The only difference between this application and the application of the Buffalo and Rochester Railway Company is that this applicant proposed to build its railroad mainly on private right of way.

After consideration of the evidence in this application, this Board does not believe that public convenience and a necessity require the construction of the applicant's proposed railroad. The conditions as to railroads constructed and proposed to be constructed in this territory are the same as they were when the Buffalo and Rochester Railway Company was refused a certificate, with the addition that now an electric railroad is proposed to be constructed between Rochester and Caledonia. A certificate was not refused to the Buffalo and Rochester company because it proposed to construct mainly on highways, but such purpose was incidentally mentioned.

Upon all the evidence and for the reasons given, the certificate applied for is hereby refused.

Commissioner Aldridge voted to issue a certificate; Commissioners Baker, Dickey, and Rockwell voted against issuing a certificate.

An appeal in this matter was taken to the Appellate Division, under section 59, Railroad Law.

[Case No. 3986] VI *April 4, 1907.*

In the matter of the Application of the SUFFERN RAILROAD COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the application of the Suffern Railroad Company for a certificate under section 59 of the Railroad Law, dated March 15, 1907, the articles of association of said company and due proof of the publication thereof; and after a public hearing on said application in the city of New York on April 4, 1907, G. F. Brownell and G. N. Orcutt appearing for the applicant, Frank S. Harris appearing for the village of Suffern and the town of Ramapo; and after hearing evidence and arguments, and it appearing that the conditions of section 59 of the Railroad Law have been complied with by the applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been

complied with by the applicant company, the Suffern Railroad Company, and that public convenience and a necessity require the construction of said applicant company's railroad as proposed in its said articles of association.

[Case No. 3933] VII *April 16, 1907.*

In the matter of the Application of the UTICA SOUTHERN RAILROAD COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the application of the Utica Southern Railroad Company for a certificate under section 59 of the Railroad Law, verified February 2, 1907, the articles of association of said company and due proof of the publication thereof; and after a public hearing on said application in the city of Utica on March 21, 1907, Edwin H. Risley and Seward A. Miller appearing for the applicant, Winslow M. Mead appearing for the State Department of Public Works; and after hearing evidence and arguments, and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the Utica Southern Railroad Company, and that public convenience and a necessity require the construction of said applicant company's railroad as proposed in its said articles of association.

[Case No. 3983] VIII *April 16, 1907.*

In the matter of the Application of the QUEENS BOROUGH STREET RAILWAY COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the application of the Queens Borough Street Railway Company for a certificate under section 59 of the Railroad Law, dated March 11, 1907, the articles of association of said company and due proof of the publication thereof; and after a public hearing on said application in the city of New York on April 5, 1907, Charles Benner appearing for the applicant, no one else appearing; and after hearing evidence and arguments, and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the Queens Borough Street Railway Company, and that public convenience and a necessity require the construction of said applicant company's railroad as proposed in its said articles of association.

[Case No. 3936] IX *April 18, 1907.*

In the matter of the Application of the CANANDAIGUA SOUTHERN ELECTRIC RAILROAD COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the application of the Canandaigua Southern Electric Railroad Company for a certificate under section 59 of the Railroad Law, dated February 14, 1907, the articles of association of said company

and due proof of the publication thereof; and after public hearings on said application in Canandaigua on March 20, and in Buffalo on April 10, 1907, Edwin D. Hamlin and Merton E. Lewis appearing for the applicant, Walter P. Cooke appearing for the Lehigh Valley Railroad Company in opposition, W. H. Welch appearing for the Northern Central Railway Company; the opposition of the Lehigh Valley Railroad Company being withdrawn in Buffalo on April 10th, on which date the Northern Central Railway Company stated there was no opposition on its part; and after hearing evidence and arguments, and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the Canandaigua Southern Electric Railroad Company, and that public convenience and a necessity require the construction of said applicant company's railroad as proposed in its said articles of association.

[Case No. 3996] X *April 18, 1907.*

In the matter of the Application of the ONE HUNDRED AND FORTY-FIFTH STREET RAILROAD COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the application of the One Hundred and Forty-fifth Street Railway Company for a certificate under section 59 of the Railroad Law, verified March 23, 1907, the articles of association of said company and due proof of the publication thereof; and after a public hearing on said application in the city of New York on April 18, 1907, H. A. Robinson appearing for the applicant, no one else appearing; and after hearing evidence and arguments and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railway: it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the One Hundred and Forty-fifth Street Railway Company, and that public convenience and a necessity require the construction of said applicant company's railway as proposed in its said articles of association.

[Case No. 3965] XI *May 15, 1907.*

In the matter of the Application of the HORNELL AND DANSVILLE RAILROAD COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the application of the Hornell and Dansville Railroad Company for a certificate under section 59 of the Railroad Law, the articles of association of said company and due proof of the publication thereof; and after public hearings on said application in the village of Bath on April 9, in the village of Dansville on April 24, and in the city of Albany on May 15, 1907; Murray, Bennett & Ingersoll (Mr. Humphrey appearing), and F. W. Noyes appearing for the applicant and for the Dansville and Mt. Morris Railroad Company in favor of the application; Orcutt, Robbins & Brown appearing for the Erie Railroad Company in favor of the application; E. E. Shutt appearing for the Rochester, Corning, Elmira Traction Company

in opposition; and after hearing evidence and arguments, and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the Hornell and Dansville Railroad Company, and that public convenience and a necessity require the construction of said applicant company's railroad as proposed in its said articles of association.

[Case No. 3947] XII *June 14, 1907.*

In the matter of the Application of the HORNELL. BATH AND LAKE KEUKA RAILWAY COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the application of the Hornell, Bath and Lake Keuka Railway Company for a certificate under section 59 of the Railroad Law, dated February 23, 1907, the articles of association of said company and due proof of the publication thereof; and after public hearings on said application in Bath on April 9 and 23, 1907; William E. Nichol and Milo M. Acker appearing for the applicant, Mr. Acker also appearing for property owners and for the Board of Trade of Hornell; Orcutt, Robbins & Brown appearing for the Erie Railroad Company, the Bath and Hammondsport Railway Company, and the Lake Keuka Navigation Company, in opposition; Reynolds, Stanchfield & Collin appearing for The Delaware, Lackawanna and Western Railroad Company; J. R. Stan and Walter Blythe Thomson appearing for the Northern Central Railway Company; after hearing evidence and arguments, and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the Hornell, Bath and Lake Keuka Railway Company, and that public convenience and a necessity require the construction of said company's railroad as proposed in its articles of association.

A writ of certiorari in this matter was served, and the return has been made.

[Case No. 4081] XIII *June 18, 1907.*

In the matter of the Application of the SEASHORE MUNICIPAL RAILROAD COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the application of the Seashore Municipal Railroad Company for a certificate under section 59 of the Railroad Law, verified May 28, 1907, the articles of association of said company and due proof of the publication thereof, and certificate of change of route of said company's railroad and proof of the publication thereof; and after public hearing on said application in the city of New York on June 14, 1907, M. L. Stover appearing for the applicant, C. L. Addison appearing for the Long Island Railroad Company and the New York and Long Island Traction Company; and after hearing evidence and arguments, and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the Seashore Municipal Railroad Company, and that public convenience and a necessity require the construction of said applicant company's railroad as proposed in its said articles of association and as set forth in said certificate of change of route.

[Case No. 3672] XIV *June 21, 1907.*

In the matter of the Application of the SUFFOLK TRACTION COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the application, dated August 1, 1906, of the Suffolk Traction Company for a certificate under section 59 of the Railroad Law, the articles of association of said company and due proof of the publication thereof; and after public hearings on said application in the city of New York on October 30, November 21, and December 11, 1906, and April 18 and May 23, 1907; Collin, Wells & Hughes appearing for the applicant; Hornblower, Byrne, Miller & Potter and Arthur C. Hume appearing for the South Shore Traction Company, in opposition; Clarence Lexow appearing for the Cross Island Traction Company, and also for the South Shore Traction Company, in opposition; James C. Bergen appearing for property owners, in opposition; H. A. Stickney for property owners; J. C. O'Conor for property owners: James W. Prendergast and W. G. Bates for property owners; Walter Cooke, a property owner; J. F. Keany for the Babylon Railroad Company; and after hearing evidence and arguments, and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the Suffolk Traction Company, and that public convenience and a necessity require the construction of said applicant company's railroad as proposed in its said articles of association.

A writ of certiorari in this matter was served, but at the time of making this report the return has not been made.

[Case No. 3867] XV *June 25, 1907.*

In the matter of the Application of the ROME AND ONEIDA ELECTRIC RAILWAY for a certificate under section 59 of the Railroad Law.

This application by the Rome and Oneida Electric Railway for a certificate under section 59 of the Railroad Law was filed with this Board December 20, 1906. A public hearing in this matter before Commissioners Baker and Rockwell of this Board was held in the city of Utica on March 21, 1907. Frayer, Stotesbury & Gregg and Thomas E. O'Shea appeared for the applicant; Covill & Moore appeared for the Bert Olney Canning Company and other property owners, in favor of the application; J. F. Connor appeared for the city of Oneida; Kernan & Kernan appeared for the Oneida Railway Company, in opposition; Lewis, Watkins & Titus appeared for The New York Central and Hudson River Railroad Company, in opposition; E. L. Hunt appeared for Charles F. Bates and other property owners, in opposition. After hearing evidence and arguments, the hearing was adjourned to a date to be thereafter fixed. It appeared at this hearing that the affidavit of the payment of

the 10 per cent. of the capital stock which is a part of the articles of association was signed by James E. Smith, Dr. Thomas Cotter, and Charles Jackson. The statute (section 2 of the Railroad Law) requires that this affidavit shall be signed by at least three of the directors of the company. Neither of the persons named were directors of the company, and their names do not appear among the directors named in the articles of association of which this affidavit is a part. Therefore, we are clearly of the opinion that the articles of association are defective in this respect, and that the company is not properly incorporated. In addition, we are not satisfied from the evidence that the 10 per cent. of the capital stock was paid in good faith. For these reasons, the certificate applied for is hereby refused.

[Case No. 4084] XVI *June 25, 1907.*

In the matter of the Application of the BUFFALO, GENESEE AND ROCHESTER RAILWAY COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the petition of the Buffalo, Genesee and Rochester Railway Company for a certificate under section 59 of the Railroad Law, the articles of association of said company and due proof of the publication thereof; and after public hearings on said application in the city of Buffalo on June 11 and June 19, and in the city of New York on June 21, 1907; Herbert P. Bissell appearing for the applicant; William F. Rann appearing for the city of Buffalo; Moot, Sprague, Brownell & Marcy appearing for the Erie Railroad Company; Kenefick, Cooke & Mitchell appearing for the Interocean Telephone and Telegraph Company; B. D. Jackson appearing for the village of Lancaster; William C. Carroll and George L. Lewis appearing for the Buffalo, Batavia and Rochester Electric Railway Company; David C. Salyerds appearing for the Rochester, Scottsville and Caledonia Electric Railroad Company; George Houliston and F. M. Ashmead appearing for the Pennsylvania Railroad Company; John S. Rockwell appearing for the Buffalo, Rochester and Pittsburgh Railway Company, in opposition; Hoyt and Spratt appearing for The New York Central and Hudson River Railroad Company, in opposition; and after hearing evidence and arguments, and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the Buffalo, Genesee and Rochester Railway Company, and that public convenience and a necessity require the construction of said applicant company's railroad as proposed in its articles of association.

A writ of certiorari was served on the Board in this matter, and the return has been made.

[Case No. 3690] XVII *March 22, 1907.*

In the matter of the Application of the ROCHESTER CORNING ELMIRA TRACTION COMPANY for a certificate under section 59 of the Railroad Law.

Pursuant to an order of the Appellate Division of the Supreme Court, Fourth Department, entered March 5, 1907, the Board of Railroad Commissioners hereby certifies, under section 59 of the Railroad Law, that the conditions of said section have been complied with by this applicant company, the Rochester Corning Elmira Traction Company, and that public convenience and

a necessity require the construction of the railroad of this applicant company, the Rochester Corning Elmira Traction Company, as proposed in its articles of association.

See page 286, first volume, Railroad Commissioners Report 1906. This matter was appealed to the Court of Appeals, but the appeal was dismissed.

[Case No. 4007] XVIII *April 17, 1907.*

In the matter of the Application of the RAYMONDVILLE AND WADDINGTON RAILROAD COMPANY for a certificate under section 59 of the Railroad Law.

On reading and filing the application of the Raymondville and Waddington Railroad Company for a certificate under section 59 of the Railroad Law, verified March 30, 1907, the articles of association of said company and due proof of the publication thereof; and after a public hearing on said application in the city of Albany on April 17, 1907, Francis M. Hugo appearing for the applicant and no one else appearing; and after hearing evidence and arguments, and it appearing that the conditions of section 59 of the Railroad Law have been complied with by said applicant company, and that public convenience and a necessity require the construction of said applicant company's railroad; it is

Ordered: That said application be and the same is hereby granted, and the Board of Railroad Commissioners hereby certifies, in accordance with section 59 of the Railroad Law, that the conditions of said section have been complied with by the applicant company, the Raymondville and Waddington Railroad Company, and that public convenience and a necessity require the construction of said applicant company's railroad as proposed in its said articles of association.

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